

LAW ENFORCEMENT NEWS

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Get the point?

Stop-power of hollow-nose ammo questioned

Los Angeles coroner Dr. Thomas T. Noguchi's much anticipated study concerning the merits of hollow-point bullets is out and it concludes that neither the hollow-point nor the round-nosed bullet would necessarily be powerful enough to stop an advancing criminal unless he or she was wounded in a vital organ.

Police Chief Daryl F. Gates has argued for the use of the hollow-point bullet for Los Angeles officers, stating in the past that it is less lethal but has more "stopping power" than ammunition currently being used. Gates has not commented on the Noguchi report yet, saying he needs more time to study it.

But Dr. Daniel Frank of the Law Enforcement Standards Laboratory in Maryland says the real issue for police officers choosing ammunition is preventing an assailant from shooting back.

"The police officer is faced with the need, that when he places a round in a human being in a life-threatening situation to himself or bystanders nearby, that he must stop further aggression," Frank said.

Noguchi's study claims that, unlike findings reported by the Dallas County associate medical examiner Dr. Vincent DiMaio, "our study does indicate that

greater damage is caused" by the hollow-point bullet. According to the Los Angeles Times, Noguchi said his findings are a result of new experiments, based partly on computer studies that DiMaio did not conduct.

LESL researcher Frank said he had not read the complete findings of the



LAPD Chief Daryl Gates

Noguchi report, but said he would not dispute the report's findings that a three-to six-times wider wound channel is caused by the hollow-point than the round-nosed bullet now used.

"As far as hollow-point bullets being lethal or less lethal," Frank said, "it depends on where you hit him." The hollow-point bullet's wider wound, he added, is "exactly what you want."

"That's exactly what causes stopping power," Frank noted. "The traditional round-nosed bullet, under the same conditions, in a soft-tissue hit, keeps going and hits somebody else. If I've got to shoot somebody, I'd rather the round stay in the guy I'm shooting at and not hit a kid across the street."

Asked about the hollow-point bullet's relative stopping power, Frank said, "it depends on what velocity it's loaded to, what are the characteristics of the bullet itself. . . . The answer. . . is round-dependent, not bullet design-dependent."

The doctor said a number of factors have to be weighed in choosing the type of ammunition to supply police in particular environments. "You're looking for a compromise between penetration shock power and the ability of the officer

to hit the target," Frank said.

The Los Angeles Times report said Noguchi's study was "virtually completed last June" but was held back through last summer because the report might prove "inflammatory" after the race riots in Miami during May 1980. All police agencies in Los Angeles County with the exception of the Los Angeles Police Department now use the hollow-point bullets, the Times noted, stating that Chief Gates, under pressure from police officers and their union, sought approval to use the ammunition last year.

Evidence compiled in the Noguchi report, comparing fatal bullet wounds from sheriff's deputies and police officers using hollow-point bullets, showed officers fired 1.7 rounds per shooting incident in 1978 and 1979, slightly more than the 1.6 rounds fired by Los Angeles police using round-nosed bullets.

Frank's report, a preliminary summary report on the relative stopping power of various handgun loads, was released in 1975. It uses a so-called "medical man," a human torso split up into relative stopping areas, and a statistical analysis of how "relatively" good shooters would hit the model.

Statistics were compiled on average trajectories. Frank explained that "the way a bullet stops someone is by hydroshock against the nerves. There's no point in having a big cavity in the middle of the lung where it might not do any good at all. It may kill him, but it's very minor stopping power. You've got very few nerves in your lung."

Then, shooting into ballistic gelatin, the maximum cavity radius for each depth was indexed to determine volumes. This plus the vulnerability for each part of the torso led to the report's "predictive value of incapacitation" for various forms of ammunition.

Frank said that if Noguchi's "complaint is that the hollow-point makes a bigger hole, then he's right on. That's exactly what the policeman wants to happen."

Metamorphosis

A new magazine look to LEN's cover has been instituted with this issue. In this format, LEN can be mailed to you without the familiar manila envelope that has enclosed the paper for some time, compounding the problems we all face in a time of financial austerity, and causing the untimely death of countless trees.

We trust you'll agree that the cover concept is a change for the better (however, if the paper suffers damage in mailing, please let us know so that we may rectify the situation). The new look is just one more way in which we're working to bring you the finest law enforcement newspaper anywhere.

Court cases trace an erratic path in defining role of department discipline in officer's lifestyle

By ROBERT T. SHOCKEY

Police discipline, as previously discussed, is and will be one of the most difficult challenges a police administrator will undertake. No one function can af-

POLICE DISCIPLINE

This is the third article in a continuing series that will appear from time to time.

fect the entire police agency as can disciplinary action.

Officers, as well as others, at times find themselves facing financial problems. From the standpoint of police officers, there are numerous cases concerning failure to pay just debts.

¶ *Rusignuolo v. Orechio*, 360 A.2d 326 (N.J. 1976). Held failure to pay just debts, which is a violation of a police rule as promulgated in town ordinance, to be a proper basis for police disciplinary action, though the legality of the rules as applied would depend on the facts of the particular case. The court indicated, as an example, that it would be improper to use this disciplinary power to resolve a bona fide dispute as to payment, quality of merchandise, and the like.

¶ *Rutledge v. City of Shreveport*, 387 F. Supp. 1277 (W.D. La. 1975). Holds that a police officer cannot be discharged for

seeking voluntary bankruptcy, since this would frustrate the purpose of the Federal bankruptcy laws, which are designed to give the debtor a chance to start over in life. Prohibiting an officer from filing for bankruptcy may increase the likelihood of police corruption, since the officer might seek illicit sources of income to settle his debts rather than face losing his job.

¶ *White v. Bloomberg*, 345 F. Supp. 133 (D.Md. 1972). A discharge for a single debt was overturned because there was no evidence of any connection between the single debt and the efficiency of the agency, the Postal Service, and because the discharge did not accomplish the regulation's intent of enabling the removal of inveterate deadbeats.

¶ *Jenkins v. Macy*, 237 F. Supp. 60 (E.D.Mo. 1964); aff'd, 357 F. 2d 62 (8th Cir. 1966). Holds that 11 debts leading to 40 complaints justify discharge for failure to pay debts or make conscientious effort to pay them.

But each case must be examined on its own merit and be in compliance with the officer's civil rights.

What about "forced resignation"?

¶ *Weld v. Marion County*, 552 P.2d 1294 (Or. 1976). A deputy sheriff's letter

of resignation, as requested by his superior, was held to represent an involuntary resignation and, in effect, was equivalent to a dismissal. The deputy's superior was directed to follow the proper procedures applicable to dismissals if he desired to terminate the deputy's employment.

¶ *Cacchioli v. Hoberman*, 338 v. N.Y.S. 2d 865 (1972). Held that the threat to fire a probationary police officer if he did not tender his resignation did not constitute duress if the department had the right to discharge him. If the only basis for seeking the resignation was that the officer had previously been adjudged a youthful offender, the court would order his reinstatement on the ground that the resignation was coerced.

¶ *Varela v. Board of Commissioners*, 238 P. 2d 62 (Cal. App. 1951). Held that a police sergeant who resigned under the threat of being prosecuted for the crime of accepting a bribe, of which he was innocent, had the right to seek reinstatement to the police force, provided that he acted with reasonable diligence in pursuing his claim.

One of the main problems with regard
Continued on Page 12

Community relations plan gets stuck on a Breier in Milwaukee

The police department may be against it, but Milwaukee's Fire and Police Commission plans to go ahead with its plan to develop a community relations program anyway. The plan, which would be funded by a \$260,000 Federal grant, would include training police in community relations and interpersonal communications and the development of a film that portrays the department's role in the community positively.

Police Chief Harold A. Breier has already turned thumbs down on the proposal, according to the *Milwaukee Journal*, saying his department already has a community relations program using officers as public speakers and brochures on crime prevention.

Breier's letter to the commission rejecting the idea, stated, "I do not see how our department could benefit in any joint venture of this type, and the request is rejected."

James R. Blumenberg, executive secretary of the commission, noted the approval of the Federal grant's use by the Common Council's Public Safety Committee, saying the full council may still vote to approve the plan later this month.

Blumenberg said the commission could still try to develop "some" kind of community relations program despite the police chief's resistance.

April fuel! Four towns come to rescue of Michigan sheriff

In another twist to the growing controversy between Wayne County, Michigan, Sheriff William Lucas and the county's Board of Commissioners, four suburban cities appear to have come down on the side of Lucas and his road patrols, offering them gasoline to continue operations.

The board had voted earlier to lay off

the entire road patrol contingent — 252 deputies — to help balance the county's budget. But Lucas refused, claiming a constitutional mandate to provide police protection to the area. Confusion reigned as the sheriff issued the dismissal notices, while telling his men to keep on working.

The next move went to the commissioners, who informed gasoline suppliers that it wouldn't pay for shipments to the sheriff's department. Lucas had, by then, ordered his men to use motorcycles and horses, wherever possible, to save on gas.

The department has now received gasoline offers from Dearborn Heights, Trenton, Hamtramck and Highland Park. The biggest offer, according to the *Detroit News*, came from Dearborn Heights mayor Donald Bishop, who plans to open his town's pumps to the tune of 500 to 600 gallons a week. This would allow the sheriff's department to continue patrols into Edward Hines Park, a favorite gathering spot during the spring and summer for the county's young people.

County Commissioner Richard Manning told the *News*, "The board's stopping of the gas shipments was an inevitable result of our running out of money for the road patrol. But if those cities have a gasoline surplus, we'll take it."

According to Senior Inspector Richard Novak, the gasoline gift means the deputies will be working in patrol cars again, as well as continuing to patrol on motorcycles and horseback.

"Trenton told us to bring our patrol car down there with an empty tank and fill it up at the city pump," Novak told the *News*. "They just want to make sure our car can be there to patrol the park."

Sheriff's deputies regularly patrol Trenton's Elizabeth Park, in addition to supplementing local police patrols in Hamtramck and Highland Park when those towns run short of manpower.

70'll get you 5 if speeding bill gets Nevada gov's signature

First Montana decided that if the 55 mile-an-hour speed limit was going to stay, it would make the fine for exceeding the limit only \$5.

Now Nevada has a similar bill awaiting Gov. Robert List's signature. If signed by the governor, the bill would impose a \$5 fine for drivers exceeding the limit by up to 15 miles an hour.

The Federal government has repeatedly used the threat of cutting off Federal highway funds to forestall Western states that yearned for the limit's repeal. Nevada currently receives approximately \$66 million in Federal highway revenues.

New directory plugs in hotline to nation's crisis-aid centers

"Hotlines: Crisis Intervention Directory," a new book listing over 700 crisis centers throughout the country, is now available.

Written by James Greenstone, a Dallas sheriff who is also a practicing psychologist and teacher, and Susan Leviton, co-founder of the Southwestern Academy Crisis Interveners, the book covers the major types of crises handled by law enforcement and other emergency personnel, including suicide, rape, spouse and child abuse, victim/witness assistance and sudden deaths.

Also included in the 350-page manual are listings for training programs, a history of crisis intervention and a bibliography of the field's literature.

LAPD cuts back academy time; training head claims success

The head of the Los Angeles Police Academy says a recent move to cut the training time for recruits from six months to four is a success, but the police chief isn't so sure.

Academy chief Thomas G. Hays told the *Los Angeles Times* that "without cutting the heart out of the program, it [the staff] has cut back where it could

and...we are putting qualified recruits on the street." But, he added, "further adjustments may be needed."

Police Chief Daryl F. Gates is unsure about the whole idea, designed to eliminate an officer shortage, and has said he plans to take a "hard look" at the four-month program after the next class graduates in July.

The cuts, begun in January, include divided classes for some facets of training, slashes in Spanish language training and physical conditioning training, and trimming the "enrichment training" where recruits ride along with officers on patrol. Some three-hour lectures have also been reduced to two hours and there has been an increase in emphasis on individual homework assignments.

Michigan residents gas up as self-defense sprays win OK

Orthochlorobenzalmalononitrile is now legal for Michigan residents to carry around.

People other than chemists and weapons specialists probably know the chemical by its standard Army handle — CS-type tear gas. Beginning April 1, CS sprays, marketed under such brand names as The Paralyzer, Self-Protection Spray and Chemical Shield, are legal for residents of the Wolverine State to possess as long as the canisters contain less than 35 grams. Anyone older than a legal minor can carry the sprays, and no license is required.

According to a 1967 Army study, the chemical spray, contained in a can about the size of a lipstick tube, is "impressive."

"The irritating effects of the compound are felt immediately," the study noted. Legislators approved possession of the sprays in the hope that the new weapon will be an effective crime deterrent. Under the new law, someone committing a crime who uses the CS-gas is liable to a two-year prison term, a \$2,000 fine or both.

Put more bulk in your diet

Bulk copies of Law Enforcement News are still available to criminal justice groups.

You can have an influence on the reading diet of your police organization, educational gathering or training seminar by providing participants with free copies of LEN.

To obtain complimentary copies for your next meeting, contact us within a month of the event, stating the number of papers you require.

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CJ planners say don't pin it all on the police

As Miami approaches the anniversary of a spring marked by rioting and racial tensions, reverberations of what last May meant are still being heard. The latest echo is a response by the National Association of Criminal Justice Planners to the U.S. Civil Rights Commission's recommendations on police practices.

The planners' response, issued nine months after the Civil Rights Commission report, takes issue with both the philosophy and specifics of much of what the Commission's "general tone," specifically the contention "that external checks and controls on law enforcement agencies from both Federal and other local agencies and groups will necessarily improve law enforcement agencies" and the suggestion that "the responsibility for improving police community relations falls almost entirely on the police."

The response goes on to state that "there is a major responsibility for the community itself to act," and says the Civil Rights Commission might have focused some of its efforts on the court sys-

tem. Specifically turning to the Miami riots last summer and the preceding events many believe triggered it, the planning group notes that "in virtually every case it was the court system and prosecution who were culpable for miscarriage of justice."

While agreeing with the commission that citizenship requirements be waived for those claiming civil rights violations, the planners' association splits with the CRC report on conspiracy laws, classification of offenses, broadening Justice Department authority and the imposition of quotas in police departments.

Removing the requirements that prohibited actions in a conspiracy must be proven, as the civil rights panel suggests, would violate "the interest of Federalism and Federal/state/local relations" according to the planners' report. The group also took issue with the commission broadening "specific intent" to "general intent" in proving conspiracies, noting, "we must take all precautions to insure the presumed innocence of the defen-

dant."

The planners' report criticizes the recommendation that unlawful violence by police should be treated as felonies in all cases, stating, "the classification of offenses as either felonies or misdemeanors should be the same for police officers as for private citizens."

The Civil Rights Commission had recommended that the Justice Department be given broad authority to deal with "patterns and practices of police misconduct." The planners' response, however, chides the Commission for not providing a full explanation of what "patterns and practices" are, concluding that "a dual standard of justice over a period of time must be shown and it must be the result of and perpetuated by departmental policy and practices."

While critical of the commission's recommendations for quotas to establish racial and ethnic equity in police departments, the planners state that "culturally biased testing instruments (in police departments) should be eliminated and test

scores should be secondary to other criteria."

A quota system, the NACJP states, "creates tremendous resentment not only within the law enforcement agency but in the community as well."

The planners' response uses the events in Miami last summer to illustrate its contention that the court system and prosecution, rather than the police department itself, were responsible for "miscarriages of justice."

NACJP's slams the state's attorney and the grand jury for failing to bring criminal indictments in a case involving an illegal search and seizure of a black man's home by white police officers, the failure of the court system to get convictions in the McDuffie case, and assails the courts again for allowing an all-white jury to sit on the case and the prosecution for its handling of the case.

A Miami state court acquitted four former Dade County police officers in the beating death of Arthur McDuffie, a 33-year-old black insurance executive. The disorders that followed the acquittal left 15 persons dead, scores of businesses ruined and millions of dollars in damage.

Miami police do not emerge unscathed by the planners' report, which describes police actions as "deplorable" but says the problems were mostly those of individuals "abusing their authority and violating people's civil rights."

The report, however, commends the department for conducting internal in-

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Study of tranquilizers' effect on lie detectors meets stinging reply from polygraph expert

Recently published reports that certain tranquilizers may enable people to lie on polygraph tests without detection have provoked angry rebuttals from one of the country's leading authorities on the machine's use.

An article published in the April 3 issue of *Science* magazine said a small dosage of the tranquilizer meprobamate would enable one to outwit the lie detector machine. The report, written by William M. Waid, Emily Carota Orne, Martin T. Orne and Mary R. Cook, came from a study by the Institute of Pennsylvania Hospital and University of Pennsylvania, involving 44 male college students, 18 to 24 years old.

But Richard O. Arther, executive director of The Academy of Certified Polygraphists and director of the National Training Center of Polygraph Science in New York called the study's findings "a big joke" and said the researchers failed to use three out of the four measurements polygraph experts use in

conducting tests.

Arther said the Pennsylvania study's results have been available since 1972, and claimed the study involved only the galvanic skin response (GSR) measurement of the test, and not breathing and cardiovascular measurements, which are standard parts of any lie detector test.

The polygraph specialist said he has "known since the 50's" that depressants affect the GSR measurement on lie detector tests. "Look, it causes a straight line," he said, pointing to a line on a lie detector chart. "But that should cause 27 bells to go off in the operators' mind. Normally, there's some kind of fluctuation."

Arther said his research has turned up erratic breathing and pulse responses when tranquilized individuals are tested. "I wondered why it didn't show up in these findings. Then I realized — they weren't looking for those measurements. The breathing and cardiovascular responses should get very erratic. The body is trying to throw off this poison."

He said law enforcement and other officials trained in polygraph operation would spot clues for drug use immediately and would judge their results accordingly.

He also took issue with the study's timing, demanding "Why are they publishing now, when they've known about this since 1971?" Similarly, the study's choice of experimental subjects caught flak from Arther.

"They're using students, a bunch of volunteers, with no stake in the outcome," he said, noting that lie detection relies, to an extent on the individual having some stake in the outcome.

Arther said there are people with whom the lie detector has trouble, people he called "psychologically dead."

"It doesn't register a response with them. It's difficult to get any kind of response from them."

But he said his research has found that approximately 80 percent of all people can be measured with lie detectors.

Proposition 2½ forces Boston to tighten its belt, squeezing 200 cops, 7 stations from the force

The grim reaper cut a swath across Boston's police community April 10, and when he was done, 200 police officers had their walking papers, seven neighborhood police stations were closed, and cries of impending disasters were heard throughout the city.

It is the latest consequence of a city administration attempting to come to grips with Proposition 2½, a fiscal belt-tightening measure approved by Massachusetts voters last fall.

In Boston, police department and union officials debate the necessity for the cutoffs. Chester J. Broderick, president of the Boston Patrolmen's Association, told reporters at City Hall on April 9 that there is enough money in the city's budget to delay the layoffs until at least July 1, the beginning of the new fiscal year.

But Mayor Kevin White has said the layoffs must begin now so the city can avoid continuing to pay unemployment

compensation expenses into the new fiscal year and to allow time for appeals before the start of July. Although officers were given their pink slips April 10, they will remain on the payroll through the end of this month.

A police department public information officer, Rico Cappucci, told Law Enforcement News that the layoffs, determined by seniority, were almost certain to be permanent.

"Not with 2½," Cappucci said. "those people who voted it would have to want it to go away. Those people who want it to stay, you'll get the same kinds of cuts."

"Our budget is going to be cut from \$69 million to \$52 million," the spokesman said. He estimated that the cuts in personnel would save the department between \$8 million and \$9 million dollars.

In addition to the cuts in officers, station houses in East Boston, Charlestown, Brighton, South Boston, Hyde Park, Mattapan and Jamaica Plain are to be closed down. Police administrators have

attempted to smooth the fears of angry residents in those neighborhoods, stating that full police protection would be given, with cruiser and motorcycle shifts assigned.

Capucci was asked how the determination was made to close down those seven particular district police stations.

"They're the older stations," he said. "The ones that don't beat — bigger and higher ceilings and so forth. Less efficient. So they basically closed the older stations and kept the newer ones open."

He said the department's officers had been aware of the necessity for cutbacks for some time. "We've been bringing people the information via closed circuit television for the last six to eight weeks and they've been more or less prepared. It's a tough thing to take. Let's just say that they agreed that it had to be done."

Cappucci said there was almost no chance of those officers being rehired in the near future. "We're looking at cutbacks," he said.

Ex-felons as Georgia cops? It may happen

In a move that is being watched closely by police officials and public administrators both within the state and throughout the country, Georgia Governor George Busbee must decide within the next several days whether or not to give his okay to a bill that would allow pardoned felons to become peace officers in his state.

House Bill 272, sponsored by House Speaker Tom Murphy, would amend the 1970 Peace Officer and Training Act, which prevents anyone convicted of a state or Federal crime punishable by a year or more in prison "or having been convicted with sufficient misdemeanors to have established a pattern of knowing disregard for the law."

Speaker Murphy originally introduced his bill to help a 35-year-old man, as yet unidentified, who had been serving as a police officer in Buchanan, Georgia, according to the *Atlanta Journal*. The man had been serving as an officer for approximately one year but couldn't be hired permanently because the state's academy wouldn't admit him for training.

The man had been convicted 15 years ago in Kansas for writing a bad check. Murphy said the man pleaded guilty to the charge at the time, paid a fine and was later pardoned.

"He could run for mayor, he could be a councilman, but he couldn't be a police officer," Murphy told the *Journal*.

In questions put before him during house debate, the speaker denied that the bill's introduction was due in any way to the state's having difficulties in recruiting officers.

The measure breezed through both chambers of the Georgia legislature —

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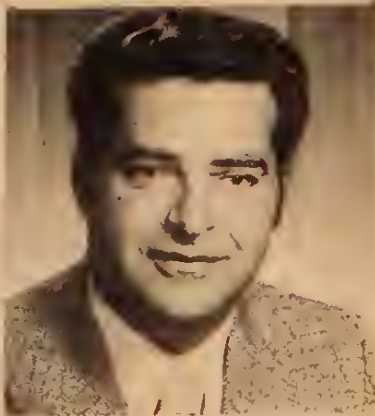
People & Places

San Diego's Kolender may be in at INS

Presidential counselor Edwin Meese 3d, who reportedly was influential in President Reagan's selection of fellow Californian D. Lowell Jensen to head the Justice Department's Criminal Division, may be at work again.

The Washington Post reports that yet another Meese colleague, San Diego Police Chief William Kolender, may be plucked from his job to head the Immigration and Naturalization Service.

The Post reported April 14 that the one-time favorite for the post, Jose Manuel Casanova, a Cuban-born Miami businessman, is being downplayed for the spot. The report notes that the sensitive position might damage Casanova's reputation with Hispanics.



San Diego Chief William Kolender

Mo. sheriff knuckles down to regaining job

Lottie Williams may have won her April 7 bid to unseat Velda Village, Missouri, Mayor Lester Knuckles, but Sheriff John Wells, who was suspended for refusing to break up a Williams rally the previous Sunday, still doesn't know whether he's got his old job back.

Williams cried "foul" after Wells was suspended by Knuckles. Wells said he was given his walking papers for refusing to break up a rally organized by Williams supporters.

The suspended chief told the St. Louis Post-Dispatch that Knuckles informed him a week before the election that "rallies and solicitations" were prohibited in the town. But Wells said a check with the city's attorney, as well as

his own search of town ordinances, turned up so such ruling.

Wells, a Velda Village policeman for 11 years and its chief for six, has hired an attorney to fight the suspension.

Daniel stocks cabinet

The new man in Missouri Governor Christopher Bond's cabinet is Edward D. Daniel, who has taken over as director of the state's Department of Public Safety. The position makes Daniel responsible for the Missouri State Highway Patrol, its National Guard, the Water Patrol, the



Public Safety Director Edward Daniel

Fire Marshal's office, the Criminal Justice Council, the Highway Safety Division, Peace Officer Standards and Training and the Liquor Control Division.

Daniel, a police officer since 1966, had been police chief of St. Charles, Missouri, since 1978. Before that he was police chief in Des Peres, Missouri.

He is working towards completion of a doctorate in criminal justice administration from Nova University in Ft. Lauderdale and receive his bachelor's and master's degrees from Webster College.

He teaches both at the graduate and undergraduate level and has authored a textbook and a number of articles on police management.

Health woes in N.H.

Health problems have cut short the law enforcement career of John Pelletier, the police chief of Merrimack, New Hampshire, for the last 10 years.

Pelletier, who stepped down earlier this year, also left his post as second vice president of the New Hampshire Association of Chiefs of Police, a group he also served as the chairman of its Traffic Highway Safety Committee.

Before taking the helm in Merrimack, the retired chief had headed police operations in Pepperell, Massachusetts.

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≡ SUPREME COURT BRIEFS ≡

By AVERY ELI OKIN



At least once during each of the recent Supreme Court terms, the Justices have been unable to reach a consensus, and deliver a majority opinion. What appears instead is a Judg-

ment of the Court, which expresses the legal and philosophical reasoning of those Justices who have come to an agreement on how the controversial case should be handled.

Those Justices unwilling or unable to agree with their colleagues on even the fundamental presumptions, like the proper interpretation to be given to an uncontroverted fact pattern, usually resort to writing individual opinions, to the horror of the organized bar and Court-watchers. Cries of outrage are usually heard from special interest groups who win the shallow victory of a favorable Judgment of the Court, which is shackled by four to six other concurring and dissenting opinions.

While the Justices generally go out of their way in their opinions to minimize the personality conflicts and internal problems of the Court, in the hope of giving each decision strong precedential value, at times an individual Justice's frustration creeps into an opinion. Writing in the case this year in which the Court was unable to reach consensus, one involving statutory rape, Justice Brennan remarked: "It is disturbing to find the Court so splintered on a case that presents such a straightforward case. . ."

Perhaps the intransigence of the members of the Court in the present case stemmed from lack of sensitivity expressed in Justice Brennan's opinion toward the deep-seated beliefs surrounding the proper sexual roles of young men and women. Following are the views of each of the writing Justices in the con-

troversial decision which was announced last month.

Statutory Rape

Speaking for just four members of the Court, including the Chief Justice and Justices Stewart and Powell, Justice Rehnquist announced that California's statutory rape law, California Penal Code §261.5, does not violate the Equal Protection Clause of the Fourteenth Amendment.

Under §261.5 of the California Penal Code, unlawful sexual intercourse is "an act of sexual intercourse accomplished with a female not the wife of the perpetrator, where the female is under the age of 18 years." This statute imposes criminal liability for the act of sexual intercourse on men alone, irrespective of who was the initiating partner and without consideration of the age of the male.

The equal-protection challenge to the constitutionality of §261.5 arose out of events occurring around midnight on June 3, 1978. On that evening, the defendant, Michael then a 17½-year-old, and two friends approached Sharon, a 16½-year-old, and her sister as they were waiting at a bus stop. The entire group of five people walked from the bus stop a short distance to the railroad tracks where they sat around drinking. Shortly after arriving at the railroad tracks, Michael and Sharon left the others and walked over to a clump of bushes near the tracks. After drinking for a short while, Sharon felt the need to go to the bathroom. According to the testimony elicited on cross-examination in a preliminary hearing, Sharon testified: "Me and my sister walked down the railroad tracks to some bushes and went to the bathroom."

After relieving herself, Sharon returned to the bushes where Michael was waiting for her. She informed him that she was only 16. Direct testimony given at the preliminary examination established that Sharon "was a little

'Cries of outrage are usually heard from . . . groups who win the shallow victory of a favorable Judgment of the Court.'

drunk" when she returned to Michael.

Michael and Sharon lay down in the bushes, just a short distance from Sharon's sister and Michael's friends. Sharon recalled: "He started kissing me and stuff, and I was kissing him back, too, at first. Then I was telling him to stop . . . He said, 'Okay, okay.' But then he just kept doing it." Then Sharon's sister and Michael's friends came over and the sister told her to get up and come home.

Instead of getting up, Sharon sat up and proceeded to kiss one of Michael's friends. Michael, his other friend, and Sharon's sister were standing while Sharon kissed and hugged the other boy. After about five minutes, Sharon's sister and both of Michael's friends left.

Michael then asked Sharon if she wanted to go to the park; she agreed. They walked together for 10 to 15 minutes until they reached the park. Sharon testified: "We walked over to the park and we sat down on a bench and then he started kissing me again and we were laying on the bench. And he told me

to take my pants off.

"I said 'No,' and I was trying to get up and he hit me back down on the bench and then I just said to myself, 'Forget it,' and I let him do what he wanted to do and he took my pants off and he was telling me to put my legs around him and stuff — "Q. — Did you have sexual intercourse with the defendant?

"A. — Yeah."

Further testimony established that Michael penetrated Sharon while on the park bench. Testimony elicited by the Court also established that Michael struck Sharon twice on the chin, leaving bruises.

Based on this fact pattern, an information was filed against Michael. Prior to trial Michael's counsel sought to have the information set aside on the grounds that §261.5 unlawfully discriminated on the basis of gender in violation of both the California and U.S. constitutions. Both the trial court and the California Court of Appeal denied the request.

On appeal, the Supreme Court of

Continued on Page 13

Protests greet Ga. plan to let pardoned felons become cops

Continued from Page 3

150-to-0 in the House on March 5, and 49-to-1 in the Senate March 16. The bill was eventually amended so that persons applying for peace officer positions must have been pardoned at least five years prior to application.

Many observers attribute the bill's relatively smooth sailing so far to the political clout Murphy wields in the Georgia legislature. But if the bill has had few problems making its way to the Governor's hands, it has caused more than one indignant cry to emerge from local and national police organizations.

Among those joining in the chorus of opposition to the bill are the Georgia Association of Chiefs of Police, the Atlanta Metropol, the Georgia Association of Security Personnel, the Police Executive Research Forum and the International Association of Chiefs of Police.

"We've come a long way, very frankly, in the police profession, trying to get it to where it is now," said Dick Hand of the DeKalb County Department of Public Safety. "We feel very strongly that it would be a step backwards. You've got the same problems as far as your bar associations, and everything else. They

don't permit pardoned or convicted felons to enter the legal profession.

"We feel very strongly that we may open up the possibility for a person to be impeached," Hand told Law Enforcement News. "They have in fact been convicted of a felony even though they've been pardoned. It may open up some problems in court we just don't want to deal with."

Gary Hayes, PERF's executive director, said, "We feel that a police officer has to have unimpeachable credentials and a person, even despite the fact that he's gotten a pardon, calls into question his credibility. We think that would impair his ability to operate effectively in the criminal justice system and not bring credit and respect to the police profession."

"We think there are enough qualified people who have not received pardons to become police officers," Hayes said. PERF, IACP and a number of other organizations have sent messages to the governor indicating their strenuous opposition to the proposed law change. Busbee has until April 29 to decide whether or not he is going to veto the measure.

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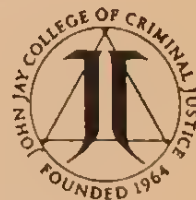
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The party said to call the shots in justice for Soviet dissidents

By EDWARD DIAMOND

The picture of criminal justice in the Soviet Union that one gets from hearing the descriptions of Dina Kaminskaia, an exiled Soviet attorney speaking in New York recently, is a picture of not one but two systems running parallel to each other — one system for the "typical" Soviet criminal case, and one very different system for the political, or dissident cases.

"She does not know of a single [dissident] case when a defendant was found not guilty and released, not in her practice, nor in the practice of her colleagues," Kaminskaia said through Lev Stem, her interpreter, to a conference on the Soviet justice system.

"Those people who think there is no law at all in the Soviet Union and that a right verdict cannot be meted out, in a general criminal case. . . are wrong."

Kaminskaia, a defense attorney in the USSR for 37 years, was exiled from her homeland following her agreement to represent Soviet dissident Anatoly Scharansky in 1977.

She estimated that no more than 10 percent of the cases decided in the Soviet Justice system are of a criminal nature. All cases are decided by a group of three judges, a presiding judge and two magistrates. She said, however, that in all of her years as a defense lawyer she had not "encountered one judge who was independent." It is the adherence of the judges to the tenets of party ideology which accounts for their lack of independence, she said.

"These [party] outlines are mandatory for each and every political case," she said.

Kaminskaia's descriptions of the Soviet system were disputed by Uri Bleobruz, press attache to the Soviet Mission to the United Nations, in a recent telephone interview with Law Enforcement News. "In my country, as in many countries, all citizens are equal under the law," Bleobruz said.

"The law is not bent for particular cases," Bleobruz said. He denied that separate considerations within the Soviet system were made for cases involving dissidents or for other political cases.

Still, Kaminskaia contended that "in practically all political cases, I knew what sentence would be meted out even prior to the trial. The prosecutors would tell the defendants what their sentence would be in court and the defendants confided in us."

She told of a case involving a dissident accused of typing anti-Soviet propaganda. When asked by the presiding judge if she regretted having committed the act, Kaminskaia recalled, the defendant replied that she did not.



Since the defendant had already been told she would get a one-year sentence for her crime, her lawyers feared that her reply to the judge would result in a harsher penalty, particularly since the judge in that instance had a reputation of being a "stringent" man.

"The verdict was exactly one year as had been predicted by the prosecutor," she said. She recalled having met the judge after the trial and asking him how come the outcome had not been more severe.

"Don't you know that in a case like that," she said the judge told her, "I can give out neither less nor more."

The exiled lawyer's contentions concerning her former country's legal system were buttressed by Columbia University law professor John Hazard, a member of

the university's Russian Institute for over 30 years. "There's only one system of justice, but there's two attitudes," Hazard said.

"You find this all over the world wherever you find an authoritarian system," Hazard continued. "Mao said, 'there's us and there's them.' There's a much quicker defined guilt for somebody who's in the 'them' group than there is in the 'us' group. And the penalties are much more severe in the 'them' group, because the authorities feel they can be remedied and brought back to life, if they only understand what they should be doing, where with the others, they give up."

Hazard said Soviet records show that approximately three percent of any cases

Continued on Page 7

Israeli police take it on the hoof once again to attack rising crime, restore public confidence

By GAD J. BENSINGER

Like many American municipal police departments, the Israeli police have recently begun to reinstitute the assign-

ment of officers to foot patrol beats in urban areas.

Foot patrol beats were common in Israel in the 1960's. Then largely because of increasing manpower shortages, the police began turning to motorized patrols. By no means an unusual development, foot patrols seemed to be losing favor in other countries as well. In England, for instance, the Beat Patrol Experiments, carried out in 1965, indicated that an increase in foot patrolmen in a neighborhood did not necessarily reduce crime. At about the same time, in the United States, large urban police departments, led by Chicago, also turned to motorized patrols. The advantages of this new patrol technique, including greater police mobility, better patrol coverage, quicker response time and reduced costs, seemed to outweigh any disadvantages that in retrospect have become apparent.

Initially, beat patrolmen in Israel's cities began utilizing motor-scooters while cars and wagons were assigned to patrol in rural areas. Then, in the early 1970's, all regular police patrols were reduced and replaced by a system of random vehicle patrols.

Increased Arab terrorist activity in Israel, especially after the 1973 Yom Kippur War, forced the police to divert their already scarce resources to fight the new threat. The campaign to prevent terrorist infiltration and sabotage also became the responsibility of non-police patrols. Although foot patrols were utilized, they were not for the purposes of crime prevention, apprehension of criminals, or the preservation of public order. Armed Civil Guard volunteers, organizationally attached to the Israeli police, began to patrol the cities and towns at night, while Civil Defense personnel, attached to the army, patrolled during the day. Also, "Hibba," women soldiers assigned to civilian duties, were placed on guard against internal sabotage.

The presence of these guards on Israel's streets did not deter criminal activity. Crime rates rose sharply after the 1973 war, and by 1977 opinion polls showed a sharp decrease in the public's confidence in the police. Since then, the

crime problem in Israel has worsened, and police prestige has reached a new low.

Police officials are now saying that only through the return of the beat patrolmen will the public regain their lost trust in the police. It was with this in mind that Israel has instituted Operation "Beads of Sweat" in Israel's major cities.

In Tel-Aviv, the country's largest city and the hub of criminal activity in Israel, 200 police officers have been ordered away from their desks to patrol the streets every afternoon from 2 P.M. to 6 P.M. These foot patrol officers have joined regular motorized units in covering market places, schools, commercial centers and other popular places. The officers patrol in pairs and are equipped with guns and walkie-talkies. If pursuit of an offender becomes necessary they can summon the assistance of a police car. An operation similar to this has been initiated in Jerusalem.

The Israeli police are also making a concerted effort to recruit university students for the new foot patrol units. Third-year university students are being urged to enlist and undergo a special 12-day basic training course that qualifies them for a sergeant's training course. Budgetary considerations permitting, the force hopes to hire over 2,000 additional policemen by 1985 in order to implement foot patrol beats nationwide.

One out of ten British drivers said to keep their gin up

If problem drinkers clogging America's highways are thought to be a problem, the picture on the other side of the Atlantic is not much brighter. From England, a country beset with its fair share of problems, comes the news that one in ten people are breaking the drunk-driving laws each week.

According to an Associated Press report, the Office of Health Economics, a research group financed by the pharmaceutical industry, said England has 750,000 or more "problem drinkers" in a population of 56 million.

EUROPEAN POLICING

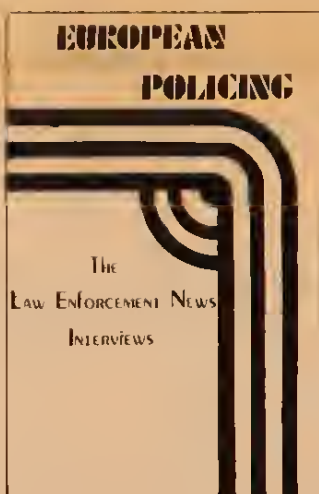
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edited, with an introduction by

Michael Balton

with a Preface by

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Many questions, few answers:

Presidential security scrutinized after Reagan attack

As the dust began to settle after the assassination attempt on President Reagan, on March 30, as the President began resuming limited duties, as inflation and foreign policy stories began to creep onto the nation's front pages, questions remained. Questions about what the attempt meant to society began to be posed by historians, psychologists, sociologists, and other academicians almost as soon as the gunfire ended, and continue without resolution.

For the Federal law enforcement agencies in charge that Monday afternoon, however, and for the Congressional oversight committees in charge of them, other questions persist. While they may never fully be answered either, those responsible for protecting the chief executive will have to decide, in a host of areas what, if anything, went wrong, and what can be done to prevent it in the future.

At least four separate Federal investigations are probing the assassination attempt. In Congress, the Senate and House Subcommittees on Treasury, Postal Service and General Government Affairs are investigating. Also, the Secret Service's own Office of Inspection is conducting a review of its agents' performance.

Most of the questions concerning the protection afforded the President outside the Washington Hilton Hotel concern the area cordoned off for the press and how it was breached; the question of communication between the law enforcement agencies involved, mainly the Secret Service, local police and the FBI, and the performance of the agencies and officials involved.

Many observers agree that the area from which the assassin's shots emerged could have been more secure. However, there is widespread disagreement about whether that area was supposed to have been more tightly restricted. Former Presidential press secretary Jody Powell, writing in the *Washington Post*, on April 3 said, "There was no restricted press area on that sidewalk."

"The press had been escorted to the front of a public area by the Secret Service, as a courtesy," Powell wrote, contending that the area the press occupied that Monday had not been cordoned off by the customary ropes and barricades with a White House press staffer checking credentials, as is usually the case in restrictive situations.

CBS News correspondent Lem Tucker, who was at the scene during the assassination attempt, recalled later in the day feeling uneasy about the press arrangements. Some have made the argument that the day's climate — rainy weather, with most newsmen and onlookers wearing raincoats — made scrutinizing press credentials that much more difficult.

But Donald Torres, a Secret Service agent from 1975 until 1979, now an instructor at John Jay College of Criminal Justice in New York, said agents have wide discretion in any situation involving the President and that determining access is one of their chief responsibilities. "It's obvious that something didn't go right," Torres said.

Public statements by officials have consisted mainly of congratulations for those officials who risked their lives doing their job, admissions that the attempt meant there were problems in the coverage, and refusal to blame any one individual or agency involved in Presidential security, while leaving the door open that procedures concerning security will change.

Treasury Secretary Donald Regan, speaking on NBC's *Today* program on



AP Laserphoto/Michael Evans

Secret Service agents move to grab and disarm the gunman who allegedly attempted to assassinate President Reagan on March 30. A former member of the Service says there was a communication breakdown between agents and D.C. police.

April 8 said all procedures for protecting the President are under scrutiny and subject to review. Regan, as the Treasury Department head, commands the Secret Service, an agency of his department.

Torres, whose duties within the service included Presidential details and guarding Presidential candidates, including Reagan, said his initial examination of photographs of the assassination attempt also led him to conclude that local police security wasn't up to snuff.

"They [local police officers] may not have been at the briefing, I don't know," Torres said, "but it's standard procedure at the briefing with local police officials before a presidential appearance to remind them of their responsibilities."

Those responsibilities, Torres said, are to "look outward — never look at the President. The police were not doing the job. Look at the photos. They were turning the other way, looking at the President. How are you going to see where the shots came from?"

Torres described the three zones typically surrounding any Presidential detail. The inner zone, he said, is the responsibility of the Secret Service, whose immediate responsibility is to turn inward on the President in the case of an attack and guarantee his safety. The next zone, the buffer zone, is also the service's responsibility, but there the attention is more outwardly-directed.

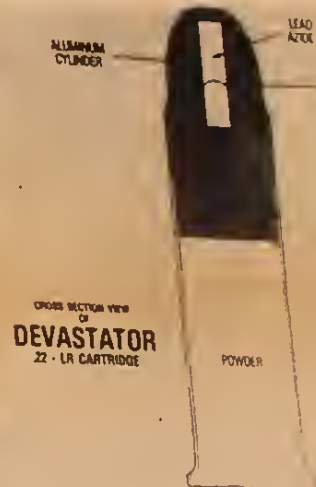
The final, or outer zone, Torres said, is the joint responsibility of the local police and the Secret Service.

There was a "breakdown in communication" between authorities, Torres said.

"Communication problems" appears to be a catch phrase throughout descriptions of the assassination attempt.

"I never had such bad information in my life," Secret Service spokesman John W. Warner Jr. told the *New York Times*, describing the initial moments of confusion following the attempt. "We were getting a lot of conflicting information," he said, referring to the incorrect identification received on the make and model for the gun used.

FBI Director William Webster and Secret Service Director H. Stuart Knight, testifying before separate Congressional committees, disagreed on whether the FBI's failure to notify the Secret Service about Nashville gun charges made last fall



AP Laserphoto

A police photograph and cross section diagram of the exploding 'Devastator' bullet used in the attempt on the President's life.

against John Hinckley, while President Carter was in town, was or was not a breakdown in procedure.

Webster said the rules don't explicitly call for passing along such information. Knight maintained the information should have been reported.

Most observers concede that any discussion of future protection for the President must take into account the chief executive's need to go out in public and the constitutional provisions concerning restricting access in public areas.

In terms of the techniques of protecting a dignitary, "you really can't change much," noted Robert Hair, a former New York City Police Inspector who has handled many dignitary protection assignments and now designs executive protection operations for major corporations.

"You're talking about somebody who has to function in a certain type of environment. The President must function in an open society; he really has no other choice," Hair said.

Exiled Soviet lawyer says justice in USSR is no party, yet all party

Continued from Page 6

that come to trial ever get acquitted. "They've all had preliminary investigations before the trial so they know how everything is going to come out." He said the Soviet system is modeled on the French system, and in its ideal state, resembles it, as do most of the West European systems, including the Dutch, Greek and Italian systems. "The rate on any side is about two percent," he said.

Kamlnskaia was asked why she chose to represent her dissident clients, knowing the near certainty for conviction for most of them.

"I felt it was the defendant who made the decision," she said. "If they approached me, I believed professionally I had no right to refuse. People I have met since, whom I defended, in New York, London and Paris, thanked me and said that I had helped them."

She paused when asked why she would choose, as a young attorney starting out on a career, to participate in such a system.

"I didn't know many things before I chose my future career," she said. "But I think, even knowing all that I know now, I would have done it anyhow."

Doctoring up police training

An interview with Sheriff Jim Metts (Ph.D.) of Lexington County

LEN: You have a Ph.D., so it might be appropriate to ask you what you feel is the value of a college education in law enforcement, as opposed to the notion that a street education is sufficient.

METTS: Of course, I feel that an education makes a person more well-rounded, a more knowledgeable person. I believe that an education allowed me the opportunity to look more critically and constructively at a situation, to realize the variables and alternatives in a situation. Of course, I got my training as a law enforcement officer; I got my education in hard knocks there also. But I think that by having an advanced education, by being forced to do the kinds of things I had to do academically, the exercise made me a better person. It made me look at all situations from different viewpoints. It's made me methodical about what's going on. I think it's just opened a lot of opportunities for me that I would not have had had I not gone on and gotten an advanced education.

LEN: Do you think that an advanced education, that is, post-high school, should be a requirement on most police forces?

METTS: Well, not in every condition. I think that if an individual has a good background in high school, I think there are many, many more aptitudes than just a good education. If a person has these other aptitudes, along with education, he's going to be a better person. We try to hire people with at least two years of college. We think the college experience is just that, an experience people go through. We think they're better rounded, better suited, more fluid people better able to adapt to more situations because of the exposure they've had.

LEN: You were talking about the attributes that that kind of experience gives you. Could you elaborate on that a little?

METTS: You have to have a lot of patience to perform in school. It teaches you the fundamentals, especially as you get into a doctoral program. You're under a lot of pressure. You have to be willing to stick to it, to persevere. It teaches you how to get along, it teaches you how to search and find information, which I think is very, very important in law enforcement, just like in all of the cases that come down, decisions from the various courts that we have to look up. It teaches you how to use the library, for example. I think that's a well-rounded individual. It teaches you how to conform to schedules. In college, you've got schedules; you've got to be at classes at certain times. You know, law enforcement is a lot like that. You've got to work at making schedules. And then I think it teaches you a lot of subjects that are very, very important in law enforcement. I could go on and on.

LEN: Do you ever find any resentment among the older members of the law enforcement community, who don't have degrees, toward those who come on with more of an

academic background?

METTS: You cope with the reality of the situation. You understand the situation and you try to adapt to it. There are times when you have to deal on that level, but there are other times when you simply have to project what needs to be done, plant the idea, and work around it, rather than using the direct approach. Or else you're going to alienate these other individuals. What I have been able to do is earn their respect, I think, not because of what I have, but because of who I am.

LEN: You seem to be saying, though, as far as law enforcement officers in general, that the ideal situation should be some kind of blend of experience. . .

METTS: That's absolutely correct. It should be a blend of experience and educational opportunities. I think that's where we fail at the police level in teaching law enforcement. You find most of the instructors, at least around this area where I'm from, are academicians rather than [those who have] practical knowledge. I've said for many, many years that they should be well-rounded in both the theoretical and the academic background as well as having had hard knocks on the street, so to speak. What you learn in a textbook is not always the reality of the situation involving the streets. I learned that because I was a law enforcement officer before I got my college education. I was able to look at these situations and theorize, use the textbooks, and then go on with the rest.

LEN: So you're saying that officers should have more

ing of trying to resist the study, into going ahead and innovatively putting the things that can be done immediately into practice at the academy, and starting some long-range planning on achieving the other objectives of the report. I'm very pleased with the recommendations of the subcommittee, not having served on the subcommittee, but I don't know what the whole council is going to do.

LEN: Can you give me any clue as to what those recommendations include?

METTS: To some degree I can. Basically what the committee has done is to look at the entire report and make up some proposed recommendations, like that there should be the development of a learning laboratory facility for slow learners in the basic training program. It's recommended that a tracking system be used in the criminal justice community to determine which recruits are slow learners and which need special assistance. It's also recommended that a psychological and mental profile be made of recruits to determine potential problem areas. It's recommended that legislation with teeth in it be instituted regarding the training of officers within one year, which is one of the most critical points brought out in the study. The development of an ongoing audit system to identify individuals who need training at a given time was recommended. We should develop legislation dealing with de-certification when a law enforcement officer is terminated, which we don't have now.

Another critical recommendation of the original

'[Instructors] should be well-rounded in both the academic background as well as having had hard knocks on the streets.'

school training and teachers should have more practical training.

METTS: Well, I think it would help, yes. I think you should integrate the two. Education, in my opinion, can do nothing more than help an individual. If you've got an individual with a lot of common sense, a lot of practical know-how, and you blend that with the theoretical, the things you learn from an advanced education, then I think you've got a well-rounded individual. There's an instructor, [George] Kirkham out of Florida State, who proved that with his experience, when he went from the academic world to the law enforcement world, and combined both in his writing when he told about his experiences. It indicates you've got to know more than the cognitive nature about your work. You've got to be able to put the cognitive nature into the psychomotor domain — in other words, you've got to be able to do it. Then you can understand what you're talking about.

LEN: From your own vantage point, in seeing what's going on around the country, are advanced degrees becoming more acceptable?

METTS: They're not only becoming more acceptable, they're becoming requirements. I'm delighted to see that, because I think society in general has become more educated and I know that the criminal element has become more educated. If we in law enforcement don't keep up with the criminal element then we're not going to be able to cope and deal with the problems presented by these new elements. We're being forced to become more sophisticated in training and techniques and technology.

LEN: Let's talk a little bit about specifics in South Carolina. A story we ran in December said that there may be some resentment in regard to a study by the Public Administration Service on the criminal justice system and training for law enforcement officials in your state [see page 10]. Is that happening? What's the status of the so-called 'master plan'?

METTS: Well, there is obviously some resentment, but we are able to move in a positive direction in that there was a special task force or subcommittee appointed to look over the recommendations of the Parker report. As a result, there have been many positive recommendations that have come out that will be presented to the overall training council. I believe that we're beginning to see now the loosening of the resentment, the loosening

report: they should develop a long-term planning process to consider some of the alternatives to the criminal justice system in South Carolina. That would include expanding the makeup of the council, that kind of thing, and having good representation from the entire state as far as criminal justice is concerned. They also recommended long-term planning as to the use of facilities and personnel, long-term planning of funding alternatives to plan capital operation expenditures. Management information systems are needed for the next several years. The areas needed to be researched include the evaluation of testing instruments, and the study of the effectiveness and the need for improved methodology. Follow-up, which the report is critical in getting, was not being done to determine the effectiveness of the training with the recruits as they go out into the field.

We also basically recommended that the council should be changed in terms of its membership, and that an advisory board to the council be created to analyze proposals on technical matters for consideration by the council. They also want to give some consideration to utilizing educational television for various areas of specialized training. The report was critical that everything was done on a centralized basis and that there was no regionalization. I could go on and on, there's so many of them.

LEN: Would you say that these recommendations are, in large measure, based on the Parker report's 'master plan'?

METTS: They are moving in the direction of that, without going in the exact direction of the master plan. There is what I think is positive movement in that direction.

LEN: Do you get any sense that the Training Council's members were hostile to the idea of a study coming from the outside, specifically from Washington?

METTS: I think that the hostility of some of the Training Council members has come from the way that the study was presented. It was presented at an open news conference at the Governor's committee level before the Training Council ever had the study in its hands. It was the negatives with which the consultants presented the report — he used, I think, "The worst I've ever seen in the nation." And I think, really, what happened, is that people were so mad with the way it was presented that they were automatically turned off to the study. They

The only one of his kind

According to the National Sheriff's Association, Lexington County Sheriff James R. Metts is the only sheriff in the nation who has his doctoral degree

Metts's doctorate in education comes from the University of South Carolina, where he also received his masters in criminal justice. Metts was elected sheriff of Lexington County in 1972 when he was 25 years old. He has since been reelected in 1976 and 1980.

He sits on the board of trustees of Newberry College in Newberry, South Carolina, and has written numerous articles on his profession in such periodicals as the Southern Journal of Criminal Justice and Police Chief magazine.

His career in law enforcement began in 1966 when he became a sheriff's deputy in West Columbia, South Carolina. He later became an investigator and juvenile officer before being elected sheriff in Lexington County. He is married and has two daughters.

This interview was conducted for Law Enforcement News by Edward Diamond.

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n County, South Carolina

didn't even read it. They didn't even see the good that the study had in it because of certain personality conflicts that developed between Dr. Ron Parker and [Training Council] director Sid Moyer and several other individuals on our training council. I think now they've taken care of that, they see that people like myself are going to push it, and that there are changes that need to take place in law enforcement training in South Carolina. They see the fact that we're not going to let petty relationships stop us, the fact that we are going to push and push to get some positive things implemented in our training program. I think now, with the appointment of the subcommittee charged with studying the report and coming back to the whole body and making recommendations, I think we're beginning to move in a positive direction. Something is, in fact, being done. I'm sure we're not going to get everything that needs to be done; it's going to be a matter of compromise. But all least we're going to move in a positive direction.

LEN: One of the criticisms that you've leveled at the criminal justice system in South Carolina has to do with is the fact that the turnover leads to officers spending a year or two on the job before they in fact get to the academy. You said that by the time they get to the academy, they wind up having to unlearn all the bad things they've been doing. Can you explain that?

METTS: With the backlog that exists in South Carolina, mainly, I think, because of low salary, we're having a backlog of getting personnel into the academy. Many departments don't have their own training program. We at the Lexington Sheriff's Department have our own training program for recruits. We've got a modularized program, self-paced, 88 of them, set up on law enforcement techniques, the law, the Constitution, those kinds of things. We put them through that, then we put them through a field training officer program where we can evaluate them in the field and under supervision before they're turned loose.

Most agencies are not as fortunate as we and do not have a training program like that. Men come to work, they see the the gun and badge, they're put out on the street without the modular training, and told, "Go enforce the law," and they learn the way I learned [laughs], when I came in to law enforcement in '66, by trial and error. When I first came to work as a police officer, that's exactly what they did with me — they gave me a gun and a badge and said the car's out front, go enforce the law. And I didn't know *anything* about law enforcement. You've still got that kind of thing going on in the decade of the 80's in South Carolina, I'm sure. A lot of them learn bad habits, then they go to the academy and they have to undo all of this and learn the correct way to do things a year or so later.

The report is very critical. One of the things the academy has done, and I would kind of give them a check for doing it, is that now they are going ahead and trying to allow for certain portions of the training to take place immediately upon the hiring of the individual. Get the basics out of the way before they go on the job and later send them back to complete the other portion of their study at the academy. I think that is a positive step forward.

LEN: Can you give an example of what the most common mistakes are that might result from a lack of training?

METTS: Well, I think that the major mistakes are in not knowing how to do and what to do. For example, in domestic situations, officers don't know what to do. They get there and they try and interview the man and wife together, in the same room, one hollering at the other. They go in sometimes ill-prepared, they don't know what to do and how to do it, and they put themselves in the most vulnerable situations as far as officer fatalities are concerned. The academy teaches them how to go in, how to separate the individuals, how to talk with them, what the alternatives are, what kinds of things they are going to look out for, and the right ways to do it. They learn that in the academy. They don't necessarily learn that in the streets. They do it by whatever way comes naturally and whatever way gets the job done, and it's generally left up to them to proceed on what needs to be done. They then learn bad habits and that's how law enforcement officers get hurt, and

that's how they're not very effective.

LEN: You mentioned that one of the problems your state faces is that officers start at a lower pay scale. Do you think there's any kind of move to rectify that in the legislature?

METTS: There was a move last year to have a minimum pay scale, and the legislature defeated it overwhelmingly because of the lobbying of the municipal associations and the county associations. From what I understood, the reason they were lobbying against it is because they think if you have minimum pay for law enforcement officers, then you have minimum pay for garbage workers and minimum pay for this, that and the other. And I think a lot of these governments are just not willing to pay any more. They're getting the job done with what they're paying and often times they don't realize that turnover's a problem with the law. It is a tremendous job trying to sell a municipality or a county to the idea that you need to pay more so that you can attract better personnel, so you can keep them and train them, so they become an asset rather than a liability.

LEN: How effective are law enforcement officials in this state in lobbying for their case?

METTS: Well, I think we've got a very strong association in the South Carolina Law Enforcement Association and the South Carolina Sheriff's Association, but I don't think we've done enough in the lobbying area. I've always said, and I'll say now, law enforcement people are their own worst enemies. If we can't get together on the issues and get a common thread running through it that we all can support, just like on this minimum pay bill — some wanted more, some thought that it wasn't fair, that it wasn't an equitable situation — we haven't been able to get our act together and until we do that we're going to be fragmented like we are — at least, to my way of thinking.

LEN: Do you see that there is, in fact, a correspondence between the amount of money that incoming officers get and the number of so-called 'bad cases' that come in to court? Would you go that far?

METTS: Well, I don't know if I can say that the bad cases are directly related to the amount of pay, because I can only speak from my experience and the situations

'Law enforcement people are their own worst enemies. We haven't been able to get our act together and until we do that we're going to be fragmented like we are.'

that I have come across. Even though we are low paid, we tend to have some of the best qualified personnel in our department. We've got a lot of Army retired, Navy retired, people that have another income coming in to supplement their county salary. I don't see a direct relationship as far as the bad cases, but I think there is a direct relationship to turnover. Your good officer is coming in, and they are becoming cynical with the system. "Why should I risk my life? Why should I work these rotating shifts, weekends, holidays, be out here and have to work in all kinds of weather conditions, be called out when I'm off, have my vacation interrupted at this kind of salary, when my family is demanding more time of me, more money the better things in life? I'm not going to get that unless I moonlight at other jobs." So they just come into it because they're fascinated by it to begin with. It's something they've seen on TV, boys and girls play law enforcement, cops and robbers, that kind of thing, they kind of idolize it. Once they're in it, they realize the kind of glamour, in other words, doesn't overcome their needs. They see the climate, and they realize that that's where they're going to be the rest of their lives.

You know, generally, there's not much advancement in law enforcement, because most departments are small. Until you get somebody to die or someone retires, you just don't get promotion opportunities like you can in a big industry-type job. We have seen turnover directly related to salary, but I haven't seen turnover related directly to so-called bad cases.

LEN: How large is Lexington County?

METTS: We are about 145,000.



LEN: How large is the sheriff's department?

METTS: One hundred twenty-seven, full-time.

LEN: Do you feel that's an adequate number to cover the county effectively?

METTS: Well, no [laughs]. But let me make a statement about that: I don't know if we could ever afford an adequate number of law enforcement officers.

LEN: What's the most serious crimes affecting your area now?

METTS: Oh, I guess the most serious crimes, in proportion to the outbreaks of occurrence, is housebreaks and larceny. The drug problem is a tremendous problem as well, but we can't really look at drugs as well as we can look at those crimes that are more likely to be reported, like housebreaks.

LEN: Is the county growing?

METTS: We are in a very fast growing area. As a matter of fact, Lexington County is one of the fastest growing counties in the Southeast. When I took office in 1976 we had about 87,000 people. We've almost completely doubled that since then. Fact is, we only had 19 people in this department when I took office, so my department

has grown also.

LEN: How effective has the sheriff's department been in getting the community involved in law enforcement, in self-protection, that sort of thing?

METTS: I think we have been tremendously effective. We've been very successful in that area because our approach is centered on the theme, "Crime is your problem, too." It's not just a problem of law enforcement. You've got to be involved. You've got to organize at the local level, the grass roots level. We push neighborhood watch, we push crime prevention and crime resistance every single day. As a matter of fact, 1980 was declared the year of crime prevention in the county. We went wholehearted all-out for this; we gave I don't know how many speeches a week with our crime prevention unit.

Through our administrative section we are forming neighborhood watch groups, seminars on self-protection, shoplifting protection, how to safeguard your home, your business, we've done security surveys. We're very much involved in awareness of the community to the fact of their role and their part to play in the war against crime.

LEN: Were you keeping tabs at all on any statistical differences, any numbers...

METTS: Overall, there was a reduction in housebreaks of 7½ percent in 1980 over 1979. I think that's due in large part to the high visibility of our security survey and Operation Identification program, getting people to put locks on things, get neighbors involved, watch out for each other's property. So we did see a statistical

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'When I first came to work as a police officer. . .they gave me a gun and a badge and said the car's out front, go enforce the law. You've still got that kind of thing going on in the. . .80's in South Carolina, I'm sure.

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reduction in the number of housebreaks from 1978 and '79.

LEN: Statistics can be misleading. Even if there were increases, is it safe to say there's no way of telling how much more it would have been?

METTS: That's true, too, and then again, you don't know how much more is being reported because of the visibility of the programs. But you're very correct and I don't think we can really know until we've got some trends that we can look at. In this county, when I became sheriff, we only had a very, very few offenses reported in a year's time. Number one, the visibility of the department was not there. The previous sheriff didn't push community education programs, did not push being involved, letting people know what was going on, that type of thing, and was not really offering a lot of services for the people. On the other hand I'd say my philosophy is that you've got to be involved, that it's your problem too, that we're going to let you know about it, that we're going to keep you involved, that we want you to let us know if you see something suspicious.

We've got more people calling in for services, so we probably inflated our crime figures by all our activities, by allowing people to have what we think is a more positive law enforcement agency.

LEN: There are some law enforcement officials who say they are controlling crime in their area by controlling the statistics.

METTS: Yeah, and I understand what you're saying about manipulating statistics. But we don't do that here. I do agree that that probably goes on in a lot of

agencies. It's just that they want to look good to their constituents. But in our state we've got a check and file system; all our statistics, as far as our reports go, go into the state law enforcement center and are put on computer there. And of course we get feedback from them, a report. It's pretty hard to manipulate those statistics when you've got to send them to another agency.

Secondly, we are open with the people; we know there's crime going on here. I don't see that as anything bad. A lot of people say if you let them know there's all this crime going on, people are going to think you're not doing your job. Well, that's a bunch of malarkey as far as I'm concerned. If there's something going on I think my people ought to know about it. I'm highly visible with the press.

LEN: So I guess your attitude is you can't do much unless you recognize you've got a problem?

METTS: That's right. A lot of law enforcement officers say we've always had crime and we're always going to have crime. I don't take that attitude at all. I'm one of the people who's probably naive enough to believe that we can control crime. But, you see, we've got so many variables. In our county, we've got a phenomenal growth, both at the county level and at the department level. We've had all these economic factors that come in to play now. There are just so many extraneous variables out there that you really don't know what you're doing, because of the population explosion that's taken place in our county. Housing has just gone up astronomically in our communities. Where there used to be woods there are now houses, developments and condominiums. We've got a big lake in our county, which is developing a lot of housing and condominiums around it

in the last eight years. You really can't get a good grasp on what's going on because of all the extraneous variables. If we were an old Southern community that was pretty stable, then we could look at the economic trends that have an impact on the environment and then you'd get pretty much an idea of what we've got. But because we're so fluid, we're changing so fast, I don't think we can really sit down and take a look at where we are, what we are and those kinds of things.

LEN: It also must make it pretty difficult to predict what the future's going to hold?

METTS: Well, that's true. We've been trying to look at the trends, at the population in certain areas, and trying to project what's going to happen. We need that to forecast our manpower. But the problem is our county is changing so rapidly, we really can't get a hold on it.

LEN: Do you think there's going to have to be some kind of realization that as the county grows, the department's going to have to expand to meet the needs?

METTS: Yes, I think that realization is, of course, what we're trying to make privately right now. I've done a fairly good job of keeping the department moving in certain areas. There weren't but 19 people when I came on; now we've got 127. We're making the governmental authorities cognizant of the problems, that growth does create law enforcement problems, crimes and other kinds of things. I think we're keeping aware of that. We've been able to make progress and as long as we continue to make the kinds of progress we've been making I think we'll be okay. If we become so tight and don't make progress with the county administration, then there's going to be trouble in law enforcement.

SC police training: what's wrong and what to do about it

Following are excerpts from the Public Administration Service's executive summary on the South Carolina Criminal Justice and Juvenile Justice Training System:

Problems

- The training system has not developed adequate training or performance objectives for the various training programs.
- The programs of instruction presently being used by the training system do not include many essential elements.
- The lesson plans being used by the training system staff do not include many essential elements.
- There is no systematic method of establishing time allocations for the courses being offered by the training system.
- There is no on-going audit system to determine whether all new law enforcement personnel are being sent to the training academy for certification.
- The state . . . has not established selection standards for law enforcement recruits. Minimum standards for recruits are established locally and the standards vary from in-depth testing to political affiliation.
- The examinations used by a portion of the training system are totally inadequate. . . there is little, if any, analysis, interpretation, etc. of test results by the training staff.
- The training system has little control in keeping plans and performance syn-

chronized because it has not adequately established or applied performance standards.

- The . . . system has a number of instructors who have not received formalized training in teaching methodologies and techniques.
- There is no mandated in-service training program for law enforcement officers once they have completed basic training.
- There is an inadequate amount of time spent by the training system's instructional staff on the selection of proper equipment, training aids and materials needed in their training programs.
- There is little monitoring of instruction by the training system."

Recommendations

- The criminal justice and juvenile justice system should immediately adopt a systematic and objective procedure to design, implement and validate its training program.
- . . . the creation of a Curriculum Development Section which would develop performance objectives for each training course by utilizing the job data and training performance requirements. . . .
- The Curriculum Development Section should establish tentative time allocations for each instructional block, following the preparation of lesson plans by the trainers.
- . . . it is recommended that an Entrance and Promotional Selection Section be created to develop and administer a validated entrance-level selection process for police agencies.
- . . . the Test Development Section should establish standards for criterion measures in terms of absolute grades, scores, or levels that are acceptable as minimum qualifying or passing attainments.
- The Test Development Section should administer in a uniform fashion all training system examinations given at the Academy.
- . . . the creations of a Management Services Section to provide technical assistance, upon request, to local law enforcement agencies in all areas of personnel assessment and management.
- . . . the establishment of mandatory in-service training and the creation of an In-Service Section which would be responsible for providing instruction to respective disciplines in advanced or specialized topics beyond the basic training level.
- . . . the establishment of a Supervisory Section. . . responsible for providing instruction to supervisors who have not received supervisory training and direct service personnel about to be promoted.
- [A] management program. . . [which]. . . would focus on management theory, decision-making, and problem-solving. The training should make use of such techniques as assessment centers, case problems, critical incidents, discussion, simulation and in-basket exercises.
- . . . the Training Division should use a wide variety of training aids to fill the gap between verbalization and direct real-life experiences.
- . . . the Curriculum Development Section should monitor instruction and periodically evaluate the instructional staff in a systematic way to insure conformance with established policies, objectives and scopes outlined in the program of instruction."

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We read and review:

Despite flaws, book on women police succeeds

Women in Law Enforcement, 2d ed. By Peter Horne. Springfield, Illinois: Charles C. Thomas Publishers. 269 pp. 1980.

This book provides an extremely useful description and analysis of the status of women in contemporary law enforcement. This is based in part upon a review and evaluation of all research on the topic — not the least of the book's contributions, since at this time it is the only place where the growing literature in this area is assembled, weighed and integrated.

Horne does not base his conclusions solely on the literature, however. He supplements it capably with the observations of American and foreign police supervisors, as well as with interviews with male

and female police officers.

The author makes his conclusions and biases clear from the beginning. Democracy, the constitution and the needs of contemporary American policing, he states, all require that women have equal opportunity to compete for jobs at every level of law enforcement. Further, Horne asserts, women are capable of meeting the demands of law enforcement careers.

Although he discusses the problems involved in integrating women into the full spectrum of police duties, he sees none of them as permanent obstacles. Rather, he says, they are temporary hurdles that can be overcome by time and determination. Indeed, some female police officers —

caught between the demands of career and family, confronted by the hostility of their male peers, supervisors and the public, and haunted by self-doubt — may feel that he treats their problem too lightly, and that in his impatience to see women given equitable treatment, he may underestimate the real difficulties they still face.

A similar difficulty crops up in assessing the evidence cited from other countries. From the author's surveys of a number of foreign police forces, it is clear that women have rarely been given the opportunity to carry out routine field patrols. Where such opportunities have been afforded women officers, it has been granted only recently and thus there has been little time for evaluation.

Nevertheless, Horne later cites the "successful foreign experience of placing women in field patrol" as an argument for female field patrol in the United States. It should be made clear, however, that this tendency to over-interpret data only rears its head occasionally. On the whole, Horne presents a balanced and objective view; female police officers and their supporters may well be grateful for his intelligent, informed enthusiasm on their behalf.

One valuable addendum to this second edition of Horne's book is a chapter on the chief's role in making fair and effective use of women police officers. This new section is a natural outgrowth of the conclusion that the attitude and behavior of the chief play a large role in determining how well women will be able to perform their duties. Horne offers advice to police chiefs in such areas as planning, recruitment and training, and supervision. Although the author concedes that even a well-conceived plan for the utilization of female police officers may be weakened by resistance in other areas of the police bureaucracy, he indicates that a lack of success in this area may call into question a chief's claims of excellence as an administrator and supervisor. The addition of this detailed, carefully structured chapter alone makes this book a valuable part of a police administrator's library, as well as re-emphasizing its value to researchers and female police officers.

—Dorothy H. Bracey
Executive Director

Criminal Justice Center, New York

British CJ system examined in account of MP's murder trial

The Last Word: An Eyewitness Account of the Trial of Jeremy Thorpe. By Auberon Waugh. Boston: Little, Brown. 1980. 240 pp. \$11.95.

Jeremy Thorpe, Britain's former Liberal Party leader in Parliament, still engenders considerable speculation following his acquittal in 1979 on charges of conspiracy to murder a male model and homosexual, Norman Scott.

The facts are extraordinarily simple: October 1975, Andrew Newton, an airline pilot, took Scott in his car to a lonely moor in Devon. They got out of the car along with Scott's dog. Newton took out a pistol, shot the dog dead and pointed

the weapon at Scott. The pistol jammed or appeared to jam. Newton then jumped back into his car, shouting to Scott, "I will get you," and drove off.

Newton was arrested and sentenced to two years in prison for "being in possession of a firearm with intent to endanger life."

Newton had been hired for £5,000 for his night's work, the money allegedly coming from David Holmes, a close friend of Thorpe's and the former treasurer of the Liberal Party. The money, according to the prosecutor, was part of £20,000 offered to Thorpe by a Liberal Party benefactor, Jack Hayward. Thorpe did

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Tough, human portraits make 'The Dozens' a prison film to see

"The Dozens." Produced and directed by Christine Dall and Randall Conrad. Distributed by First Run Features Inc., New York.

"The Dozens," a new feature film that explores the relationships of a young

LEN Goes to the Movies

working-class woman emerging from prison, is a fictional account that somehow manages to maintain the starkness of a documentary and the humanity of an intimate character sketch.

Set against the backdrop of Massachusetts' Framingham State Prison and surrounding environs including Boston, this film could have been shot anywhere in urban America. The themes are universal. As portrayed by Debra Margolies, 20-year old Sally, around whom the film revolves, is spinning herself deeper into trouble and going nowhere fast.

The film makes effective use of Margolies' tough, streetwise narrations to emphasize a crucial point: the objective for many both inside of prison and still within its grasp, is "getting over," not changing. "Dozens," named for a game of insults played in prison, shows Sally emerging from a stolen-checks stint in prison. Emerging from jail with no real skills or training, Sally says of her 4-year-old daughter, "She probably thinks I've been in a coma."



Debra Margolies in "The Dozens"

And then there is Sonny, her husband. Sonny, played by Edward Mason, is every sweet-talking con with a touch of tenderness a girl could ever run into. Mason's character could have just as easily devolved into a grade-B movie parody. Instead, he forces the audience to confront the dead-ends of his, and Sally's life. After Sally gets out of jail and decides to live on her own with her daughter, apart from Sonny for a while, Sonny approves, but convinces Sally that her place would

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POLICE STUDIES

Now in its second year of publication, *Police Studies: The International Review of Police Development* has established itself as a forum for researchers and scholars to discuss international law enforcement issues. *Police Studies* provides an exchange of ideas and techniques from contributors in police departments and academies and in universities and research centers. Among the topics discussed in articles are: police agency size, crime prevention, the role of the police executive, terrorism and the media, police collective bargaining, college education for police, the role of detectives in the police work, Victorian police, attitudes toward women police, productivity studies, and studies of police patrol work.

In accordance with the international scope of *Police Studies*, a number of articles have appeared in it concerning the police in foreign countries. During the last year and a half, articles have been published on the organization and functions of law enforcement agencies in England, the Federal Republic of Germany, Denmark, Canada, France, Scotland, Israel, and Japan. For scholars and police administrators interested in comparing American law enforcement organization with police in other countries, these articles have provided useful, alternative solutions to social and organizational problems facing American officials.

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Hairstyle + lifestyle ÷ department rules = lawsuits

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to professional appearance relates to hairstyles.

¶ *Kelley v. Johnson*, 425 U.S. 238 (1976). Holds that hairstyle regulations do not deprive police officers of 14th Amendment rights. Officers challenging hairstyle regulations must show that there is no rational relationship between the regulations and the promotion of safety of persons and property. The overall need for discipline, esprit de corps and uniformity defeated the officer's challenge based on the liberty guarantees of the 14th Amendment.

¶ *Hyatt v. Montgomery County*, oral opinion (D.Md. 1975). Holds a county police grooming order invalid because of its vague and subjective standards, but not necessarily invalid if carefully drawn.

¶ *Schott v. Fornoff*, 515 F. 2d 344 (4th Cir. 1975). Holds a "white sidewall" rule to be so extreme as to be unconstitutional.

¶ *Burhack v. Goldschmidt*, 521 P. 2d 5 (Ore. Ct. App. 1974). Holds that the need for a neutral and uniform appearance justifies rules limiting police officer hairstyles.

Police officers have one of the highest divorce rates of any profession. It can then be assumed that the police administrator may be faced with discipline concerning illicit relations.

¶ *Faust v. Police Civil Service Commission*, 347 A.2d 765 (Pa. Cmwlth. 1975). Adultery committed by a police officer while off duty, and in private, is held to be grounds for dismissal as "immorality" and "conduct unbecoming an officer." Because of the state interest in maintaining public confidence in the police force, an officer who had been "warned" of such a relationship may be dismissed for such adulterous activity, and such dismissal will be upheld on appeal.

¶ *Steward v. Leary*, 293 N.Y.S. 2d 573 (1968). Holds that the dismissal of a married policeman on the grounds that he was living with an unmarried woman, thereby conducting himself in a manner tending to bring adverse criticism on the police department, was not so disproportionate to the conduct as to be arbitrary, capricious or unreasonable.

¶ *Righter v. Civil Service Commission*, 136 N.W. 2d 718 (Mich. Ct. App. 1965). Holds that the evidence supported findings of failure of good behavior on the

Film review:

'The Dozens' is brutally frank

Continued from Page 11

be ideal for storing the cocaine in his latest scam.

Sally goes along, convinced her husband really has her best interests at heart. Besides, hasn't he just bought into a laundromat and isn't he giving her good money to tide her over while she goes through beautician's school?

Played with less vitality and warmth, these characters and situations could have been facile set-ups for scorn or pity. Instead Sally, Sonny, and Sally's close girl friend Russel (played by Marian Taylor) make things much more complicated. An audience becomes angered at the apparent realities of the situations and sympathetic to those caught in the maze. Played with brutal frankness, "The Dozens" forces questions about prisons and those it touches to bubble to the surface. No answer sheets are provided.

—Edward Diamond



UPI Wirephoto

WHADDYA MEAN, 'FUZZ'? Shortly before the Supreme Court handed down its decision in *Kelley v. Johnson* (1976), these Des Moines patrolmen responded to a captain's complaint that their hair was too long by shaving their heads completely.

part of a police officer, and that discharge of an officer who had been observed visiting a single woman at such hours and in such a manner as to bring discredit upon the police department was not improper or excessive as a matter of law.

¶ *Mayor of Beverly v. First District Court*, 97 N.E.2d 181 (Mass. 1951). Holds that the District Court improperly ruled that evidence before the mayor and Civil Service Commission in support of a charge that a police officer was guilty of conduct unbecoming to an officer, in that the officer had sexual intercourse with a married woman who was not his wife, was unworthy of belief and that the result reached by the mayor and commission appeared not to be based upon an exercise of unbiased and reasonable judgment.

¶ *Brewer v. City of Ashland*, 86 S.W. 2d 669 (Ky. 1935). Holds that a married police officer having a child by a woman other than his wife was dismissed legally by the city as being guilty of conduct rendering him unfit for employment by the city.

Inadequate performance by an employee can also become a problem for the police administrator.

¶ *Wilson v. State Personnel Board*, 130 Cal. Rptr. 292 (Ct. App. 1976). Upheld the dismissal of a law enforcement officer (fish and game warden) for inefficiency, in citing others to appear in court on a given day and then failing to file such citations in court until two years later, even though such action did not violate any specific regulation or rule.

¶ *Bodenschatz v. State Personnel Board*, 93 Cal. Rptr. 471 (Ct. App. 1971). Holds that statistical evidence compiled by the California Highway Patrol comparing a traffic officer's level of enforcement activity while unsupervised to that of various groups of fellow officers and also to his own performance while working under the supervision of a superior officer could be used for purposes of evaluating the efficiency of the officer.

¶ *McCallister v. Priest*, 422 S.W. 2d 650 (Mo. 1968). Holds that in order to discharge a commissioned officer (here a major) from the police force on grounds of inadequate performance, the Board of Police Commissioners must allege that the officer is unqualified to serve as a police officer. If, as here, they merely charge that he is incapable of performing the function of his rank, the proper form of discipline is demotion.

Incompetence due to physical disability is another problem area to consider.

¶ *Boyd v. Santa Ana*, 491 P. 2d 830 (Cal.

1971). Holds that where a police officer's disability arises out of and in the course of his duties, a city may not deprive him of valuable disability and retirement benefits by discharging him.

¶ *Dobbins v. Los Angeles*, 89 Cal. Rptr. 758 (Ct. App. 1970). Holds that a policeman can properly be discharged because of a physical disability caused by an off-duty injury, notwithstanding that standards of physical fitness were not written into the applicable regulations.

¶ *Johnson v. State Department of Institutions*, 198 So. 2d 159 (La. App. 1967). Holds that where a civil service employee is demoted on the recommendation of doctors that he is physically unable to handle his present position, the employee bears the burden of proving that his dismissal was arbitrary and capricious.

¶ *Hamaker v. Gagnon*, 297 A. 2d 351 (R.I. 1972). Holds that where a civil service clerk-typist, disabled from performing her job by an injury, is transferred to a position she is physically able to perform, her failure to perform her new work in a reasonable time and with due diligence is grounds for her dismissal.

The internal investigations: where does the police administrator stand? The

'Last Word' offers glimpse of British 'Trial of the Century'

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not actually receive the money, but requested Hayward to pass it on to Nadir Dinshaw, a Karachi-born businessman, who gave it to Holmes. Although there were official suspicions, the money given by Hayward was never actually proven to be the money paid to Newton.

The 27-day trial — lengthy by British standards — was hailed by the press as "The Trial of the Century." It resulted in Thorpe's acquittal (as well as his codefendant's), without Thorpe ever having taken the stand in his own defense.

The Last Word is a personal account of this bizarre trial written by Auberon Waugh, a prolific and witty writer of several British newspapers, including the scandal sheet *Private Eye*. Interspersed with verbatim testimony from the trial are Waugh's skeptical and audacious commentaries, in which he concludes that the proceedings were, to put it mildly, mishandled by the prosecution.

A close reading of the testimony

courts have provided some answers.

¶ *May v. Shaw*, 386 N.Y.S. 2d 625 (Sup. Ct. 1976). Held that a police officer who was on suspension from the department and awaiting a hearing could receive a second suspension for refusal to answer department officials' questions concerning incidents that formed the basis of the original charges.

¶ *McLean v. Rochford*, 404 F. Supp. 191 (N.D. Ill. 1975). Held that the privilege of a police officer against self-incrimination was not violated when he was dismissed, not because he exercised his privilege against self-incrimination, but because he refused to answer questions narrowly and specifically related to his duties as a police officer after being advised that nothing he said could be used against him in either a departmental disciplinary proceeding or a criminal proceeding. Cited Conlisk, infra.

¶ *Broderick v. Police Commissioner*, 330 N.E. 2d 199 (Mass. 1975). Held that a police commissioner could require officers to respond to a questionnaire which inquired into alleged off-duty misconduct of a number of unnamed officers at an out-of-state celebration, if the conduct may be grounds for disciplinary action and the questions are narrowly related to that conduct.

¶ *Seattle Police Officers' Guild v. City of Seattle*, 494 P. 2d 485 (Wash. 1972). Holds that the Fifth Amendment privilege against self-incrimination was not a bar to the discharge of city police officers who refused to answer questions in the context of a police department's internal administrative investigation into alleged police misconduct, where the questions were specifically, directly, and narrowly related to past performance of their official duties; the officers were not required to waive any immunity from prosecution and they were advised that refusal to cooperate could lead to their dismissal.

As previously stated, the main thing that a police administrator must do is have his rules and regulations in writing. Starting with the next article, we will take a look at a sample of departmental rules and regulations.

clearly suggests that Waugh's analysis is accurate. The Director of Public Prosecutions — England's equivalent of a district attorney — chose to bring a charge that was bound to fail because of the questionable character of the witnesses. Even though Thorpe's lawyer conceded the politician's homosexual inclinations, no credible, direct connection with any murder attempt on Scott was made.

While not of the same caliber of the superbly edited *Notable British Trials Series* published by the Scottish firm of Hodge, *The Last Word* stands as a lucid account of the workings of the English criminal justice system in a curious and controversial trial.

—Daniel P. King
Whitefish Bay, Wisconsin

Read a good book lately?

Tell us about it. Law Enforcement News will publish reader-contributed reviews of newly published books relating to criminal justice. Manuscripts should be typewritten and range in length from two to five pages. Send submissions to the editor.

Supreme Court Briefs...

Continued from Page 5

California found that §261.5 in fact discriminates on the basis of sex. Utilizing the highest level of constitutional analysis, the "strict scrutiny" test, California's highest court reasoned that for §261.5 to be constitutionally permissible there must be "a compelling state interest" to be protected. Nonetheless, the state bench declared §261.5 constitutional, finding that California had a compelling interest in preventing teenage pregnancies, and noting "the tragic human cost of illegitimate teenage pregnancies," including the large number of teenage abortions, the increased medical risk associated with teenage pregnancies, and the social consequences of teenage child bearing." The California court further reasoned that since males alone can "physiologically cause the result which the law properly seeks to avoid," the gender classification system was justifiable as a means of identifying both the offender and the victim.

For substantially the same reasons set forth by California's highest court, the plurality of the Supreme Court affirmed the constitutionality of §261.5. Added to the arguments set forth by the Supreme Court of California were the views of Justice Rehnquist, who condescendingly wrote: "Only women may become pregnant and they suffer disproportionately the profound physical, emotional, and psychological consequences of sexual activity. The statute at issue here protects women from sexual intercourse at an age when those consequences are particularly severe."

In reaching the conclusion that §261.5 passes constitutional muster, the plurality established that the state may "attack the problem of sexual intercourse and teenage pregnancy directly by prohibiting a male from having sexual intercourse with a minor female." Support for this conclusion arose from the unsupported assertion that "the risk of pregnancy itself constitutes a substantial deterrent to young females. No similar natural sanctions deter males. A criminal sanction imposed solely on males thus serves to roughly 'equalize' the deterrents on the sexes."

Justice Stewart, in a separate concurring opinion, reasoned that §261.5 of the California Penal Law was not offensive to the constitution because females may be charged with "aiding and abetting its violation." Further, Justice Stewart noted there are several statutes, including those that cover acts contributing to the delinquency of a minor and prohibitions on committing "any lewd or lascivious act" with a child under 14, which establish female criminal liability.

Also concurring in the judgment was Justice Blackmun, whose decision was tied very closely to fact stated. While the facts, including Michael and Sharon drinking together, engaging in foreplay and the closeness of their age, made the case, in Justice Blackmun's view a case that should not have been prosecuted, he wrote that "the fact, I reluctantly conclude, may fit the crime."

Justices Brennan, White and Marshall dissented, convinced that gender-based classifications must be declared unconstitutional. In support of this position the dissenters provided data showing that 37 states had already enacted gender-neutral statutory rape laws. "Common sense, the dissenters contended, suggests that a gender-neutral statutory rape law is potentially

a greater deterrent of sexual activity than a gender-based law, for the simple reason that a gender-neutral law subjects both men and women to criminal sanctions."

The dissent further argued that the historical basis for §261.5 was not the reason that the plurality espoused for punishing only males who engage in sexual intercourse. The California statutory rape law, which had its origin in the 13th century Statutes of Westminster, was based upon the premise that "young women were to be deemed legally incapable of consenting to an act of sexual intercourse. Because their chastity was considered particularly precious, those young women were felt to be uniquely in need of the State's protection." The legislative history of the California statute is completely silent on the matter of whether the prevention of teenage pregnancies was a consideration in the adoption of §261.5.

Dissenting, separately Justice Stevens argued that the plurality's logic completely missed the mark in addressing the basic issues involved. Stevens' dissent, which is based upon the clearest of analytical thought on this subject, is best summarized by the single question and answer: "Would a rational parent making rules for the conduct of twin children of opposite sex simultaneously forbid the son and authorize the daughter to engage in conduct that is especially harmful to the daughter? That is the effect of this statutory classification." (Michael M. v. Superior Court of Sonoma County, No. 79-1344, decision announced March 23, 1981.)

CJ planners rap report on 1980 Miami riot

Continued from Page 3

investigations in both the McDuffie case and the illegal search and seizure case. It says that some of the Civil Rights Commission's recommendations for local action "were being carried out at the time of the riot and had been for a period of time prior to the incidents leading up to the riot."

It is the court system itself that comes under the harshest criticism in the planners' report. While stating the Miami police violations were individual acts, the report says "the actions of the court system... can be traced to far more formally institutionalized practices," suggesting that "perhaps this component of the criminal justice system should also be the subject of reform and recommendations by the Civil Rights Commission."

More philosophically, the planners' response challenges the commission's notion about outside reform offering lasting improvement in police department operations. "While an upsurge in legal actions against alleged police incompetence and abuse may work to deter egregious error, it may also undermine the resolve of the profession to discipline itself."

Instead, the report favors improved "internal operating procedures, when strictly enforced, and reinforced by peer behavior." The report notes the reduction in deadly force used by New York City police officers, from 93 fatalities in 1971 to 28 in 1978, as an example of internal police department resolve.

Why not share LEN with a friend?



BURDEN'S BEAT

By ORDWAY P. BURDEN

The limits of police liability: does a waiver mean you wave your rights goodbye?

Can a person who has been arrested and detained briefly in jail win a civil suit against the police, even if he has signed a release form waiving all claims for damages against the officers and their municipality? We may soon find out as a suit hinges on that question awaits action in the U.S. District Court in Massachusetts.

It's an important question for law enforcement because many police agencies — perhaps most — require an arrested person to sign such a release before dropping charges and letting him go. If the defendant in the Massachusetts case wins his suit, doubt may be cast on the constitutionality of release forms everywhere.

The case arose from an incident in the Town of Milton, a Boston suburb, on October 26, 1980. A black man named Bancroft D. Hall, of Sharon, Mass., was seated in his car in the driveway of a Milton home, waiting for his daughter Sandra, who was visiting a friend. An alert neighbor spotted him and, suspecting that he was up to no good, called the police. When three officers arrived to check him out, Mr. Hall is alleged to have refused to produce his driver's license for identification and, in general, to have resisted their questioning. There was an altercation, and finally Hall was taken to jail on a disorderly conduct charge.

Subsequently, he talked with a lawyer, who advised him to sign the release form and go free. Hall did. Now he's suing, with the backing of the Civil Liberties Union of Massachusetts.

In his suit, Hall charges that he was assaulted and beaten by the officers, which they deny. In their answer to the suit, filed by Milton Town Counsel Robert D. O'Leary, the officers state that "they acted in good faith... and used no more force than reasonably necessary..." The truth will, of course, be decided at the trial, but the facts of the arrest are of less interest than the issue of whether Hall signed the release without coercion to gain his freedom.

There is no allegation that he was physically coerced or threatened into signing. The complaint prepared by the Civil Liberties Union, however, says, "Although he sincerely believed that his arrest and imprisonment had been illegal, the plaintiff Bancroft Dudley Hall was coerced against his will into signing the document in order to avoid remaining in jail on false charges of which he was entirely innocent." The complaint also states, "It is further alleged that the said document is void and of no effect and the said Town should be enjoined from its use."

In short, the complaint filed on Hall's behalf implies that he was under mental duress when he signed the release. CLU general counsel Michael Avery called the use of the release form "outrageous."

"It's signed under duress," he said, "It's really a contract between a prisoner and a jailer, and a contract is supposed to be a bargain between equals. And it is against public policy. If the person did commit a crime, he should not be released. If he did not commit a crime, he should be released and allowed to pursue a lawsuit."

Milton Town Counsel O'Leary does not see it that way. "I suppose an argument could be made if he had been kept alone in a cell and kept from calling his attorney," he said. "But the fact is, he had his wife and daughter with him, and he consulted with his attorney. If a man has independent consultations like that, and if he signs voluntarily, then it's good, in my opinion," O'Leary said.

CLU Counsel Avery said that he knew of no cases similar in all respects to the Hall case. But he added that his research had turned up three cases in which the principal, as he sees it, is the same. All were Circuit Court decisions in which a district attorney was alleged to have offered to dismiss criminal charges if a defendant waived his right to sue. "Posing that kind of deal is unethical," Avery said. Since those cases were much farther down the road than Hall's was when he signed the release, they were more serious matters, but in Avery's view the legal principle is no different.

Hall's suit asks \$200,000 in compensatory and punitive damages from the Town of Milton and seven police officers, plus \$100,000 for his daughter Sandra. In addition, he asks the court for a declaratory judgment that his constitutional rights were violated.

He also asks "a preliminary and a permanent injunction, prohibiting the Town of Milton and its agents, servants and employees from requiring any person arrested in the absence of probable cause to sign a release as a condition of his discharge from custody." There lies the nub of the case, in terms of its wider interest.

Is a person who has been jailed, even briefly, and then told that he can go free if he signs a waiver of his right to sue, acting freely when he signs? And if not, does that negate his signature? For the answers, stay tuned to the U.S. District Court for Massachusetts.

(Ordway P. Burden welcomes correspondence to his office at 651 Colonial Blvd., Westwood P.O., Washington Twp., NJ 07675.)

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JOBS

Chief of Police. The City of Mentor, Ohio, a developing residential/commercial suburban city of 42,000 seeks a proven police executive to be responsible for managing a growing department with \$2.0 million operating budget; 74 sworn and 37 civilian personnel. New \$3.6 million police station under construction.

Bachelor's degree in police administration or related field, advanced training and considerable law enforcement experience at the administrative or management level preferred. Strong leadership, management, communication and public relations skills required. The police chief is appointed by and reports directly to the city manager.

Salary dependent on qualifications (\$26,000 to \$33,000 per year) with excellent fringe benefits. Submit complete resume with salary history before May 18, 1981 to: Edward J. Podojil, City Manager, Mentor Municipal Center, 8500 Civic Center Boulevard, Mentor, Ohio 44060. An Equal Opportunity Employer.

Police Officer. Charleston, South Carolina, has a number of entry level positions available in its police department. Career advancement opportunities and openings in law enforcement; competitive salaries, major benefits.

Applicants must be 21 years of age or older; have a valid U.S. Drivers License (S.C. drivers license must be obtained before appointment); be a high school graduate or equivalent (GED), and a U.S. Citizen. (No previous law enforcement experience necessary.) Applicants must successfully pass a series of written, oral, physical and psychological examinations, undergo a complete background and credit investigation; have a clean police record, and be able to produce a valid birth certificate. Ability to communicate effectively with others and to write comprehensive reports, to work under stress, and to work rotating shifts required.

Starting salary (base) is \$11,816.48 year, with automatic salary increases each year. Starting salary 5 percent and 10 percent above base for applicants with associates or bachelors degree, respectively (Associate Degree, \$12,407.72; Bachelors Degree, \$13,029.64). Extensive fringe benefits.

Apply to: Personnel Office, Charleston City Police Department, P.O. Box 98, Charleston, SC 29402. (803) 577-7434.

State Trooper. The State of New York is currently accepting applications for state trooper positions. The state police will hold a statewide competitive examination June 27, 1981, following an intensive recruitment effort.

Troopers receive \$12,715 per year for 22 weeks of training, after which the salary rises to \$13,220. Salary after one year is \$16,673, and the current maximum salary is \$20,558. Applicants must be U.S. citizens and New York residents at appointment time. They must be at least 20 years old on the date of the written test and between 21 and 29 when appointed. The maximum age may be extended six years for prior military service. A high school or equivalency diploma is required. Other requirements include a valid New York driver's license and good moral character. A felony conviction is grounds for automatic disqualification for appointment. Eyesight must be no worse than 20/40 in either eye, correctable to 20/20.

Applications can be obtained by writing to the Director of Personnel, New York State Police, State Campus, Albany, New York, 12226, or at any New York State Police installation. All applications must be postmarked by June 1, 1981.

Deputy Sheriff Trainee Positions, Los Angeles County, California. There are immediate openings in the largest sheriff's department in the world. More than 5,200 sworn personnel serve an area of approximately 4,000 square miles and 1,900,000 in population through nineteen stations. Salary: \$18,211 to \$23,322 plus many departmental benefits. Deputy sheriffs with departmental experience may earn up to \$27,547 annually.

Applicants must have a minimum of a high school diploma or equivalent, be a U.S. citizen between 21-34 years of age and have weight proportionate to height.

Send inquiries to: Los Angeles County Sheriff's Department Recruitment Unit, Room 460, 211 West Temple Street, Los Angeles, California 90012. Phone: (213) 974-LASD. Filing for the position is open and continuous.

Police Officers. The Public Safety Department of Dade County, Florida has over 300 entry-level positions available.

Applicants must have a high school diploma, possess a valid U.S. drivers license and be United States citizens. A written examination will evaluate general aptitude and related knowledge applicable to successful performance in the Police Academy. An oral interview will evaluate personal appearance, communication skills, emotional stability, maturity and suitability for the post. Physical and psychological examinations as well as a background investigation will be conducted.

Successful candidates will receive an annual salary of \$16,926, two to four vacation weeks, 12 paid holidays, group medical insurance, and a uniform allowance. The county's pension system permits retirement after 25 years of service.

For further information, contact: Public Safety Department, Office of Human Resources, 1320 N.W. 14th Street, Miami, FL 33125.

City Coordinator. Florence, Kentucky, (population 15,500) is looking for an experienced administrator to fill this position. The town's current budget is \$1.6 million and has a 50-person full-time staff, with 19 part-time employees.

Preference will given to individuals with a degree in public administration and "progressively responsible experience in municipal management." Salary for the position is between \$16,500 and \$25,500.

Closing date for applications is May 15, 1981. Send resume to: George Gardiner, Northern Kentucky Area Development District, 7505 Sussex Drive, Florence, KY 41042. Mark envelope "Confidential."

City Manager. A new city charter has created a need for a person to fill the position of city manager in Sebring, Ohio, a town of approximately 5,545 people.

The city seeks applicants with experience in municipal finance, fiscal management, and manage-

ment of street and water programs, along with knowledge of state and Federal grant programs. Applicants should have a bachelor's degree in public administration, finance, political science or a related field. A masters in public administration is preferred.

The manager will be appointed by a seven-member, non-partisan council, elected at large to four-year overlapping terms. The closing date for applications is June 1. Send letters of application and salary requirements to: Mrs. Helen Erb, City Clerk, 135 E. Ohio Avenue, Sebring, OH 44672, and mark the envelope "manager proposal."

Faculty Position. Bemidji State University in Minnesota has announced the opening of a tenure-track position in its Criminal Justice Program beginning in Fall 1981.

Teaching responsibilities are in the area of general law enforcement, including police administration, criminal justice practice, and crime prevention. Teaching approximately two courses at area community college is also required, as is participation in service and professional activities with local law enforcement and other criminal justice agencies.

A doctorate is required for the position, as well as two years of criminal justice agency experience and two years of university teaching experience.

Letters of application, resume and three letters of reference should be submitted before May 15, 1981, to: Dr. Lewis J. Downing, Dean, Division of Social and Behavioral Sciences, Bemidji State University, Bemidji, MN 56601.

JOB ANNOUNCEMENTS

Do you need new staff members? Recruits? Professional, experienced practitioners? Let Law Enforcement News help. Send announcements to: Law Enforcement News, 444 West 56th Street, New York, NY 10019.

DIRECTOR OF SECURITY

A Safer Housing Authority for Boston

At every level, the success of the Boston Housing Authority's reorganization efforts depends upon individual commitment and energy. In the first year of receivership, we have attracted talented professionals who recognize the right of Boston's low-income and elderly residents to adequate and secure housing and who have to sense of purpose and urgency which must accompany efforts to accomplish this objective. We are seeking a person with these qualities to become the Director of Security. Under the general supervision of the Special Deputy for Operations, the Director of Security will develop and direct all security activities and programs in a creative new effort to reduce crime and vandalism in and around BHA developments and to make Authority tenants, personnel and property secure.

Qualifications: An undergraduate or graduate degree in the field of law enforcement or criminal justice is desired, but relevant experience may be substituted. Criminal investigative and/or police training is highly preferred. The candidate should have a thorough knowledge of life in public housing, should be knowledgeable about police work and law enforcement, and should understand the security needs of multi-family and elderly housing.

A minimum of three years of experience supervising law enforcement or security personnel is required. Applicants who demonstrate specialized knowledge and experience in conflict resolution and community organizing for civilian involvement in security activities will be given preference. Salary: \$31,229/Year. Please send resumes to: Director of Personnel, Boston Housing Authority, 52 Chauncy Street, Boston, MA 02111.

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Director, Criminal Justice Center John Jay College of Criminal Justice

Requires successful experience in researching, preparing, and evaluating Federal, state, and other grants as well as in directing funded research projects. Other responsibilities include supervision of extensive training programs in all areas of criminal justice, production and sales of periodicals, and the operation of a university press. A Ph.D. or the equivalent in criminal justice or related discipline, administrative experience, and familiarity with publications and marketing are required.

Send resume and salary requirements to: Dorothy H. Bracey, John Jay College of Criminal Justice, 444 West 56th Street, New York, New York 10019.



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UPCOMING EVENTS

MAY

15. **Seventh Annual Criminal Justice Speakers Consortium.** Presented by the Criminal Justice Center at John Jay College. To be held in New York City. For more details, contact Laura Kelly, John Jay College, 444 West 56th Street, Room 2104S New York, NY 10019. Telephone: (212) 489-3592.

15-16. **Spring Conference of the North Carolina Association of Criminal Justice Educators, North Carolina Justice Academy.** Presented by the Fayetteville Technical Institute. To be held in Salem, NC. For further details, contact: Dr. Jay McCallister, Department of Sociology, Pfeiffer College, Misenheimer, NC 28109.

17-21. **Hostage Tactics and Negotiations Program.** Presented by Richard W. Kobetz and Associates. To be held in Winchester, Virginia. For more details, contact: Richard W. Kobetz and Associates, North Mountain Pines Training Center, Route Two, Box 342, Winchester, VA 22601.

17-22. **Institute on Training in Crisis Intervention.** Presented by The National Conferences of Christians and Jews, Inc. To be held at the University of Louisville School of Medicine, Louisville, Kentucky. For further information, contact: J. Paul Frelick, NCCJ 305 W. Broadway, Suite 407, Louisville, Kentucky 40202. Telephone: (502) 583-0281.

18-20. **Twenty-first Annual New York Professional Polygraph Seminar.** Presented by the National Training Center of Polygraph Science. Fee: \$125. For more details, contact: The National Training Center of Polygraph Science, 1109 Medical Arts Center, 57 West 57th Street, New York, NY 10019.

18-20. **Legal Problems in Police Administration Seminar.** Presented by the Traffic Institute. For more details, contact: The Traffic Institute, 555 Clark Street, Evanston, IL 60204.

18-22. **Homicide and Major Crime Scene Investigation Seminar.** Presented by The Traffic Institute. Fee: \$340. To be held in Denver, Colorado. For further information, contact: May 18-20.

18-22. **Firearms and Chemical Agents for Corrections.** Presented by the Smith & Wesson Academy. For further details, contact: Smith & Wesson Academy, 2100 Roosevelt Avenue, Springfield, MA 01101.

18-22. **Probation Case Management Phase III Course.** Presented by the Regional Criminal Justice Training Center. For more details, contact: Regional Criminal Justice Training Center, Yosemite Community College District, P.O. Box 4065, Modesto, CA 95352.

25-29. **Police Photography Course.** Presented by the Florida Institute for Law Enforcement. Fee: \$125. For more details, contact: Florida Institute for Law Enforcement, P.O. Box 13489, St. Petersburg, FL 33733.

29. **Performance Improvement for Police Personnel Seminar.** To be held in Pittsburgh, Pennsylvania, by Highhill International. For further information, contact: Highhill International, 48 West 48th Street, Suite 1404, New York, NY 10036. Telephone: (212) 777-0003.

JUNE

1-2. **Traffic Engineering Technical Assistants Seminar.** Presented by the Traffic Institute. Fee: \$525. For further details, see: May 18-20.

1-2. **Funding Sources for Criminal Justice Agencies Seminar.** Presented by Harper & Row Criminal Justice Media. To be held in Atlanta, Georgia. For further information, contact: Harper & Row Criminal Justice Media, 10 East 53rd Street, New York, NY 10022.

1-5. **The Police Response to the Crimes of Homicide and Rape.** Presented by the Pennsylvania State University. For more details, contact: Edwin Donovan, S-159 Henderson Human Development Building, University Park, PA 16802. Telephone: (814) 863-0277.

1-11. **Crime Scene Procedures Course.** Presented by Lake County Area Vocational & Technical Center. For more details, contact: Kenneth A. Bragg, Director, 2001 Roosevelt Avenue, Springfield, MA 01101.

1-12. **Homicide Investigation Seminar.** Presented by the Southern Police Institute. Tuition: \$400. For more details, contact: Admissions office, Southern Police Institute, University of Louisville, Louisville, KY 40292.

2-3. **Fuel Efficiency Driving Instructor Course.** Presented by The Institute of Police Traffic Management, University of North Florida. Fee: \$150. For more information, contact: The Institute of Police Traffic Management, University of North Florida, 4567 St. Johns Bluff Rd., S. Jacksonville, FL 32216.

2-4. **Hostage Response for Law Enforcement Agencies.** Presented by Highhill International. To be held in Portland, Oregon. Fee: \$325. For more details, see: May 29.

2-July 3. **Criminal Justice Study Tour of Great Britain.** Sponsored by the Center of Criminal Justice, Arizona State University. Cost: \$2,695. For more information, contact: Professors I. Gayle Shuman or Tom Schade, Center of Criminal Justice, Arizona State University, Tempe, AZ 85281.

3-5. **Executive Development: Developing a Philosophy of Management.** Presented by the Florida Institute for Law Enforcement. Fee: \$125. For further details, see: May 25-29.

3-6. **Intermediate Training Courses in Crisis Intervention.** Presented by the National Training Conference for Crisis Intervention and the Southwestern Academy of Crisis Intervention. Fee: \$300. For further information, contact: Sharon C. Leviton, Southwestern Academy of Crisis Intervention, 8609 Northwest Plaza Drive, Suite 440-A, Dallas, Texas, 75225.

4-5. **Police Officer Street Survival Seminar.** Presented by Calibre Press and the Regional Training Center. For further information, contact: Regional Training Center, Missouri Western State College, 4525 Downs Drive, St. Joseph, MO 64507. Telephone: (816) 271-4220.

4-8. **Seventh National Psycho-Motor Skill Design Instructor Training Seminar.** Sponsored by the Justice System Training Association. To be held at the Hyatt Regency in New Orleans. Fee: \$150. For further information, contact: Kevin Parsons Director, Justice System Training Association, Box 356, Appleton, WI 54912. Telephone: (414) 731-8893.

7-10. **Advanced Training Course in Crisis Intervention.** Presented by the National Training Conference for Crisis Intervention and The Southwestern Academy of Crisis Intervention. To be held in Dallas. Fee: \$300. For more details see: June 3-6.

7-11. **Law Enforcement/Security Field Survival.** Tuition: \$400. Presented by Richard W. Kobetz & Associates. To be held in Winchester, VA. For further information, see: May 17-21.

8. **Questioned Documents Workshop.** Presented by The Northeast Campus — Police Institute at the University of Maine at Orono. Fee: \$25. For further details, contact: Gerald J. Scott, Program Coordinator, Northeast Campus — Police Institute, 166 College Avenue, Orono, Maine 04469. Telephone: (207) 581-7913.

8-10. **Workshop on Computer Crime Investigation.** Sponsored by Assets Protec-

tion Journal. To be held in Chicago, Illinois. Fee: \$575. For more details, contact: Paul Shaw, Assets Protection Journal, 500 Sutter Street, Suite 503, San Francisco, CA 94102.

8-11. **New England Conference for Forensic Investigation of Violent Death 2nd Annual Seminar.** Sponsored by the Massachusetts Criminal Justice Training Council. To be held at Wellesley, Mass. For further details, contact: Gary F. Egan, Executive Director, Massachusetts Criminal Justice Training Council, 1 Ashburton Place, Room 1310, Roslindale, MA 02108. Telephone: (617) 727-7827.

8-12. **Managing Criminal Investigations: Homicide.** Presented by the Southwestern Law Enforcement Institute. For more details, contact: Cindie J. Burkel, Southwestern Legal Foundation, P.O. Box 707, Richardson TX 75080.

9-11. **Handling Kidnap & Extortion Cases.** Presented by Highhill International. To be held in Washington, D.C. Fee: \$325. For further information, contact: May 29.

14-20. **Thirtieth International Course in Criminology.** To be held in New York City at the John Jay College of Criminal Justice. Sponsored by the Societe Internationale de Criminologie. Fee: \$250. For further information, contact: John Jay College of Criminal Justice, 444 West 56th Street, Room 6104, New York NY 10019.

15-16. **Drug/Narcotics Enforcement Seminar.** Presented by the University of Delaware. Fee: \$100. For more information, contact: Jacob Haber, University of Delaware, 2800 Pennsylvania Avenue, Wilmington, DE 19806. Telephone: (302) 738-8155.

15-17. **Training for Trainers: The Newest Techniques Seminar.** Presented by Harper & Row Criminal Justice Media. To be held in St. Louis, Missouri. For more details, see: June 1-2.

15-19. **Advanced Firearms Course.** Presented by the Smith & Wesson Academy. Fee: \$375. For more details, contact: May 18-22.

15-19. **Regional Police Firearms Instructor School.** Presented by The National Rifle Association of America. To be held in Allentown, Pa. Fee: \$100. For further information, contact: The National Rifle Association of America, 1600 Rhode Island Avenue, N.W., Washington, D.D. 20036.

15-26. **Internal Affairs Seminar.** Presented by the Southern Police Institute. Tuition: \$400. For further details, see: June 1-12.

16-18. **New Funding Sources for Criminal Justice & Corrections.** Presented by Highhill International. To be held in Springfield, Mo. Fee: \$295. For further details, contact: May 29.

18-19. **Sex and Arson Related Homicide Investigation.** Presented by the University of Delaware. Fee: \$100. For more details, contact: June 15-16.

18-21. **Basic Investigative Hypnosis Seminar.** Presented by the Law Enforcement Institute Inc. To be held in Chicago, IL. Fee: \$475. For further details, contact: Dr. Martin Reiser, Law Enforcement Hypnosis Institute, 303 Gretna Green Way, Los Angeles, CA 90049.

21-25. **North American Police Work Dog Association Workshop.** To be held in Fort Wayne, Indiana. Hosted by the Allen County Police Department. For more information, contact: Sgt. Robert Compton, K-9 Trainer, Allen County Police Department, 12535 Lima Road, Fort Wayne, Indiana 46818.

22-24. **Basic Techniques of Arson Investigation.** Presented by the University of Tennessee. Fee: \$225. For more information, contact: Department of Conferences, University of Tennessee, 1629 McClintock Avenue, Knoxville, TN 37916.

22-25. **Basic/Advanced Computer Security Conference.** Presented by the ASIS Educational Program. To be held in Chicago, IL. For more details, contact: ASIS Education and Seminar Programs Department, 2000 K Street, N.W., Suite 651, Washington, D.C. 20006. Telephone: (202) 331-7887.

22-26. **Law Enforcement Instructor Training Course.** Presented by the Southwestern Legal Foundation. For more details, see: June 8-12.

24-26. **Arson Investigation for Police & Prosecutors.** Presented by the Harper & Row Criminal Justice Media. To be held in St. Louis, Missouri. For more information, see: June 1-2.

24-26. **Advanced Hostage Negotiations Seminar.** To be held in Portland, Or. Presented by Highhill International. For further information, contact: May 29.

29-July 1. **Night Surveillance Course.** Presented by the Smith & Wesson Academy. Tuition: \$250. For further details, see: May 18-20.

29-July 1. **Night Surveillance Course.** Presented by the Smith & Wesson Academy. Fee: \$250. For further details, contact: May 18-20.

29-July 31. **Criminology & Criminal Justice Study.** To be held in Copenhagen, Denmark and Lund, Sweden. Sponsored by the Virginia Commonwealth University in cooperation with the University of Copenhagen. Fee: \$1073. For further information, contact: James D. Stinchcomb,

Chairman, Dept. of Administration of Justice and Public Safety, Virginia Commonwealth University, 901 West Franklin Street, Richmond, VA 23284. Telephone: (804) 257-1050.

JULY

6-8. **Sexual Assault Investigative Techniques Seminar.** Presented by Harper & Row Criminal Justice Media. To be held in Boulder, Colorado. For further information, see: June 1-2.

6-8. **Revolver Retention Course.** Presented by Smith & Wesson Academy. Tuition: \$250. For more information, see: May 18-20.

July 7-24. **Drugs, Crime and Justice in England Seminar.** Presented by the American University. Fee: \$1250. For further information, contact: Arnold S. Trebach, Director, Institute on Drugs, The American University, Washington, D.C. 20016. Telephone: (202) 686-2403.

8-10. **Art Theft Prevention Seminar.** Presented by the Pennsylvania State University. For more details, see: June 1-5.

8-10. **Training Techniques for Trainers Seminar.** Presented by Highhill International. To be held in Chicago, IL. For more information, see: May 29.

9-11. **Campus Security Course.** Presented by the Theorem Institute. To be held in Washington, D.C. Tuition: \$350. For further information, contact: Theorem Institute, 1782 Technology Drive, San Jose, CA 95110.

13-14. **Productivity Improvement for Criminal Justice and Corrections Seminar.** Presented by Highhill International. To be held in St. Louis, MO. For further details, contact: May 29.

13-15. **Hostage Response Techniques for Law Enforcement Seminar.** Presented by the Harper & Row Criminal Justice Media. To be held in Boulder, Colorado. For further details, see: June 1-2.

13-17. **3rd International Affairs Workshop.** Presented by the Southwestern Legal Foundation. For further details, contact: June 22-26.

23-25. **Public Management Analysis Course.** Presented by Theorem Institute. To be held in Washington, D.C. Tuition: \$350. For further details, see: July 9-11.

23-26. **Basic Investigative Hypnosis Seminar.** Presented by the Law Enforcement Institute. Fee: \$475. For further details, see: June 18-24.

27-31. **Forensic Hypnosis Seminar.** Presented by the Institute for Research in Hypnosis and Psychotherapy. To be held in Lenzburg, Switzerland. Tuition: \$200. For more information, contact: Institute for Research in Hypnosis, Department of Education, Suite 24-F, 10 West 66th Street, New York, NY 10023.

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Shots fired! The President's hit!

The questions about Presidential security are now flying as fast as the bullets. See story, Page 7



**This is a doctor
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See Interview, Page 8.

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